

Case No.  
Award No. 50  
System Docket No. 540  
(BU-4153-17)

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers  
and  
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Claim of the O.R.T., Southwestern Region, District No. 2, that the Carrier violated the terms of the Telegraphers' Agreement, Saturday, December 14, 1957, when it blanked the position of Block Operator at Altamont Tower, Altamont, Illinois, from 2:00 P.M. to 10:00 P.M., while the regular assigned second trick employee, Mr. D. E. Carter, was available to fill the vacancy which was created by diversion of the regular relief employee, Mr. D. C. Dix, to Willows Tower, East St. Louis, Illinois, where he was used from 3:00 P.M. to 11:00 P.M., in the absence of Mr. D. W. Montgomery, regularly assigned second trick operator, who was off account of illness, and which vacancy could have been filled by Mr. D. D. Libell, regularly assigned first trick operator at Willows Tower, who was idle and available to perform the required service.

As a consequence, the Claimant (D. E. Carter) regularly assigned second trick operator, rest days Saturday and Sunday, shall be allowed eight (8) hours' pay at the overtime rate, account of not being used at Altamont in the absence of the regular employee or available extra employee on the date in question. Regulations 5-G-1 (a), (c) and (i), 4-G-1 and 4-J-1 of the Schedule governing. Awards Nos. 5475, 6524 and 8041 of the Third Division of the N.R.A.B. referred to in support of employees' position." (Southwestern Region Case No. 12-1/2-B - System Docket No. 540)

FINDINGS:

The position in question is that of Block Operator at Altamont Tower 2:00 P.M. to 10:00 P.M. Claimant is the regularly assigned incumbent, and the day in question is his rest day. His position is covered on Saturday by D. C. Dix, regular assigned Relief Operator.

On the Saturday in question, Carrier assigned Dix to the 3 P.M. to 11 P.M. tour at Willows, and blanked the 2 P.M. to 10 P.M. Block Operator assignment at Altamont.

Organization argues on this day, with the regular rest day relief employee assigned to Willows by Carrier, and no qualified extra employees available, the regular incumbent was entitled to be called to work his own shift on his rest day. We agree.

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AWARD:

Claim sustained.

Signed this 10th day of April, 1961.

/s/ E. A. Lynch

E. A. Lynch, Chairman

/s/ C. E. Alexander

C. E. Alexander, Carrier Member

/s/ R. J. Woodman

R. J. Woodman, Employe Member

