AWARD NO. 31 CASE NO. 31 ORT NO. (None)

SPECIAL BOARD OF ADJUSTMENT NO. 421

THE ORDER OF RAILROAD TELEGRAPHERS)
vs)
NEW YORK CENTRAL RAILROAD, EASTERN DISTRICT)
(Except Boston and Albany Division) and)
NEW YORK DISTRICT)

STATEMENT OF CLAIM:

Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central Railroad, Eastern Division, that:

- 1. Carrier violated the terms of the agreement between the parties when, on Sunday, February 5, 1961, in the absence of an available extra employe, carrier failed to call A. E. Trimm to protect service required to be performed on a rest day of her regular assignment at Gouverneur, first trick.
- 2. Carrier shall be required to pay A. E. Trimm 8 hours at the time and one-half rate amounting to \$31,87.

OPINION OF BOARD:

The record reveals that under the confronting facts and the applicable agreement provision Mrs. A. E. Trimm, the claimant, was entitled to be offered the opportunity to work on the subject Sunday, which was a rest day of her regular assignment at Gouverneur, first trick. She was not offered this opportunity and thus her claim must be sustained but at pro-rata rate for 8 hours.

AWARD:

Claim sustained to the extent of eight hours at pro-rata rate.

/s/ Lloyd H. Bailer Lloyd H. Bailer, Chairman

/s/ L. Faulds
L. Faulds, Carrier Member

/s/ R. J. Woodman

R. J. Woodman, Employe Member

June 25, 1963

September 16, 1963