

AWARD NO. 40
CASE NO. 40
BU-9756-8

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:

1. Carrier violated the Telegraphers' Agreement on January 1, 1963, 7:00 A.M., at "YD" Corning, N.Y., when it failed to use regular first trick operator L. E. Albee to cover the first trick at "YD" on New Year's Holiday, instead Carrier used train service employee to perform operator's duties.
2. Carrier shall now compensate regular first trick operator at "YD", L. E. Albee for 8 hours at time and half, at "YD" rate, for New Year's.

OPINION OF BOARD:

The evidence presented is not sufficient to warrant a sustaining award. The claim will be denied.

AWARD:

Claim denied.

Lloyd H. Bailer
Lloyd H. Bailer, Chairman

L. Faulds
L. Faulds, Carrier Member

R. J. Woodman
R. J. Woodman, Employee Member

Dated: September 29, 1964