

Award No. 49
Docket No. 49

MOP Files 380-1055-156
380-1055-155
ORT Files 1232 & 1230

SPECIAL BOARD OF ADJUSTMENT NO. 117

ORDER OF RAILROAD TELEGRAPHERS
and
MISSOURI PACIFIC RAILROAD COMPANY

Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad that:

1. Carrier violated Rule 9, Section 1, paragraph IV, and Rule 10(b) of the agreement between the parties when on Thursday and Friday, August 4th and 5th, and Thursday and Friday, August 11th and 12th, 1955, it failed to properly compensate Mrs. A. M. Lampe for service performed on her assigned rest days of position No. 10 at "GM" Relay Office, St. Louis, a 7-day position.
2. Carrier shall now be required to compensate Mrs. A. M. Lampe for 6 hours at time and one-half rate of pay for the work performed after the hours of position No. 10 for August 4, 5, 11 and 12, 1955.

OPINION OF BOARD: While existing facts in this claim are not identical with those present in Docket No. 48, said claim under consideration here involves the same parties and the same rules as were present in Docket No. 48, Award No. 48, previously considered and adopted by this Board.

It is the opinion of the Board that the controlling factual situation here present, when considered in the light of the cited rules, is comparable to that considered and applied in the aforesaid award. For the reasons stated and to the extent indicated in Award No. 48, this claim is denied.

FINDINGS: The Special Board of Adjustment No. 117, upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as approved June 21, 1934.

That this Special Board of Adjustment has jurisdiction over the dispute involved herein; and,


That the Carrier did not violate the effective agreement.

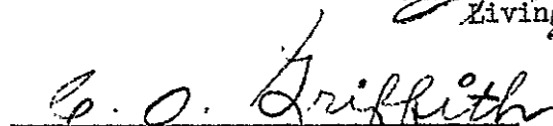
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AWARD

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 117


Livingston Smith - Chairman


C. O. Griffith - Employee Member


G. W. Johnson - Carrier Member

St. Louis, Missouri
August 9, 1956

