

SPECIAL BOARD OF ADJUSTMENT NO. 186

AWARD NO. 8

Organization's File

C-859

Carrier's File

TE-4-55

STATEMENT OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on the Denver and Rio Grande Western Railroad:

"(1) That Carrier violated the provisions of the Agreement between the parties when and because it failed and refused to compensate Agent-Telegrapher W. M. Fowles, Salina, Utah, at the rate of time and one-half for services performed on Friday, a rest day, January 28, 1955;

"(2) That Agent-Telegrapher Fowles, Salina, Utah, shall now be paid the difference between straight time rate, which he was paid, and the rate of time and one-half, which he should have been paid under the terms of the agreement."

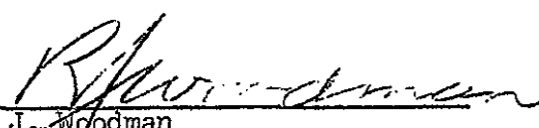
This claim involves interpretation of the rules covering change of rest days.

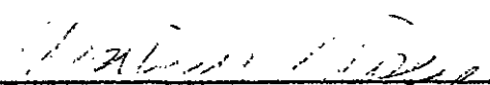
Effective on Friday Claimant's rest days were changed from Thursday and Friday to Sunday and Monday and claim is made for being required to work on Friday, the effective date of the change, on the ground that he was required to work on a rest day.

The issues and applicable awards here are essentially the same as those involved in Award 7 except that here claimant relies on Rule 7 (C) while in Award 7, claim was based primarily on Rule 6 (A)

Like award should follow.

AWARD: Claim sustained.


R. J. Woodman
Organization Member


Mortimer Stone
Chairman, Neutral Member


L. G. Heinlein (Dissenting)
Carrier Member

Dated at Denver, Colorado, August 30, 1957