

SPECIAL BOARD OF ADJUSTMENT NO. 266

406-3

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

AWARD NO. 53  
CASE NO. 93  
417/ 1-188-7  
(115-58)

STATEMENT OF CLAIM:

"The Carrier violated the Agreement between the Organization and the carrier when on Wednesdays, December 25, 1957 (Christmas Day) and on January 1, 1958 (New Year's Day) it blanked the 2nd trick Clerk-Operator's position at Morristown and the Ticket Agent-Operator's position at Maplewood, both seven day positions.

The Carrier shall, because of said violations compensate Mr. S. R. Kinkel for the Morristown position at the rate of eight (8) hours at the time and one-half rate in addition to the eight (8) hours at the pro rata rate paid him, and Mr. R. S. Weatherburn similar compensation for the Maplewood position. Straight time hourly rates at the time of these violations were as follows:

Morristown Clerk-operator..... \$2.236  
Maplewood Ticket-Agent-Operator... \$2.26 "

OPINION OF BOARD:

Claimants S. R. Kinkel and R. S. Weatherburn are entitled to additional compensation in the amount of 8 hours pay at pro rata rate for each of the two holidays specified in the claim. Award No. 12.

AWARD: Claim sustained in part as stated above.

/s/ Lloyd H. Bailer  
Lloyd H. Bailer, Neutral Member

/s/ W. I. Christopher  
W. I. Christopher, Employe Member

/s/ R. A. Carroll  
R. A. Carroll, Carrier Member

New York, N. Y.  
Nov. 24, 1959

PARTIAL DISSENT

The partial dissent entered by the undersigned to Award No. 52 also applies to this award. The correct rate is time and one-half.

/s/ W. I. Christopher  
Employe Member