

SPECIAL BOARD OF ADJUSTMENT NO. 266

406-3

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

AWARD NO. 54
CASE NO. 94
417/ 2-2-A
(117-58)

STATEMENT OF CLAIM:

The current Telegraphers Agreement schedule, page 49, lists at Stroudsburg, Pa. a "Ticket-Agent-Operator and a Clerk-operator position, the latter was abolished on May 6, 1957, and the Ticket-Agent Operator position changed from 7-am to 3-pm to 12 Noon to 9-pm, with Lunch period 310-pm to 410-pm, rest days Sunday and Monday which is included in Cycle Relief No. 1, with home station Cres co, when on November 17, 1957 the hours were again changed to 815-am to 515-pm, lunch period 115-pm to 215-pm, identifying it as a seven (7) day position, the basic rate is \$2.246 and current rate \$2.326 an hour.

On December 23, 1957 instructions were issued that Stroudsburg Ticket Office would be closed on December 25, 1957 and the remaining position would not work, then on December 30, 1957 similar orders were issued covering January 1, 1958--H. J. Mushock is the incumbent of this position on these two dates.

Because of this handling, which is in violation of our current Agreement, this is claim in favor of H. J. Muschock, incumbent of Ticket-Agent-Operator position at Stroudsburg, Pa., for 20 hours pay at \$2.326 an hour or \$46.52 on each date, less the amount paid on December 25, 1957 and January 1, 1958, then on a continue basis on each subsequent Holiday when similar violations take place, the applicable Articles being 8, 11 and 24 of our Agreement.

OPINION OF BOARD:

This claim must be sustained to the extent of 8 hours additional compensation at pro rata rate for each blanked holiday beginning on December 25,

AWARD NO. 54

-2-

CASE NO. 94

1957, this additional compensation to apply only so long as the subject position continues to be filled seven days per week. Award 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, Employee Member

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

New York, N.Y.
Nov. 25, 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
Employee Member

