

CASE NO.
AWARD NO. 33
ORT CASE NO.1967 (TE-8746)

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers
and
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Claim of the Order of Railroad Telegraphers that V. E. Heaps, Block Operator, Columbia, who was off on his regularly assigned rest day, should have been used at time and one-half rate to fill his position on August 7, 1954 when the regular relief man was not available and no qualified man was available to fill the position. Proper time slip was submitted and should be honored." (Philadelphia Division - System Docket No. 272)

FINDINGS:

The day in question was a rest day of Claimant Heaps' assignment. His regularly established relief was one Kilheffer.

Kilheffer was absent and not available. There is no showing there was any other eligible employee available. Consequently Claimant was entitled to fill such assignment on his own job. Regulation 5-G-1 (i) so provides.

AWARD:

Claim sustained.

Signed this 10th day of April, 1961.

/s/ E. A. Lynch
E. A. Lynch, Chairman

/s/ C. E. Alexander
C. E. Alexander, Carrier Member

/s/ R. J. Woodman
R. J. Woodman, Employee Member