

CASE NO.
AWARD NO. 34
DOCKET NO. TE-8871
ORT CASE 2004

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers
and
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Claim of the General Committee of the Order of Railroad Telegraphers on the Pennsylvania Railroad Company that:

T. P. Short, regularly assigned leverman 'KN,' 7:00 A.M. to 3:00 P.M. and A. C. Van Sciver, regularly assigned Leverman 'KN,' 3:00 P.M. to 11:00 P.M., were available and not used on the following dates to cover 'KN' Lever position on their respective tours, Feb. 4, 11, 18, 25 and March 4, 11, 18, 1950. But instead the Carrier blanked the position of leverman and required the Block Operator at 'KN' to absorb and perform the duties and responsibilities of the levermen in violation of the Agreement.

Mr. Short and Mrs. Van Sciver submitted time cards for the above dates claiming 8 hours at the overtime rate of pay being available and not used, and in accordance with Regulation 4-T-1, I hereby make claim for Mr. Short and Mrs. Van Sciver for 8 hours at the overtime rate for each succeeding Saturday and until this violation ceases. This in accord with Regulations 4-G-1, 4-J-1, 5-G-1 (a) and (b) and also in accord with Chicago Agreement, Article 2, Section 1 (d)." (New York Division Case No. 14 - System Docket No. 282)

FINDINGS:

The principles involved in this dispute are similar to those in Docket TE-8608, this day decided by Award No. 30 covering that Docket.

The major work of this tower was handling of commuter traffic. With the advent of the 40 hour week the levermen positions were reduced from 6 days to 5 days a week, and the Block Operators on duty were required to absorb the levermen duties on Saturday and Sunday as they had previously been required to do on Sundays only.

For the reasons set out in detail in Award No. 30 covering Docket 8608, we will deny this claim.

AWARD:

Claim denied.

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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

