

SPECIAL BOARD OF ADJUSTMENT NO. 525

AWARD NO. 18
CASE NO. 18
BU-8364-49

ORGANIZATION FILE

R-1307

CARRIER FILE

TE-3-63

EMPLOYES' STATEMENT OF CLAIM:

Claim of the General Committee of the Order of Railroad Telegraphers on the Denver & Rio Grande Western Railroad, that:

1. Carrier violated the Telegraphers' Agreement when it refused to compensate Telegrapher G. L. Watkins in accordance with the Agreement when he was called to perform service at Provo, Utah, on his rest day, November 6, 1962.

2. Carrier shall compensate Telegrapher G. L. Watkins the difference between three (3) hours at time and one-half rate as allowed, and eight (8) hours at time and one-half rate as claimed for the above violation.

SPECIFIC FINDINGS:

Claimant is regularly assigned to the 2nd shift Telegraphers position at Thistle, Utah, assigned hours 4:00 P.M. to 12:00 midnight, rest days Tuesday and Wednesday.

On his rest day, Tuesday, he was instructed to report for work at Provo on 2nd shift to work 3 hours 8:30 P.M. to 11:30 P.M. His claim for 8 hours at time and one-half was declined by Chief Dispatcher, with notation; "Per Rule 20-G you are entitled to actual time worked."

The claims are sustained under Rule 6 (L) (2) A-(1) for the reasons stated in Award No. 14, decided this date.

The Organization is correct in stating that Rule 20-G does not measure compensation but pertains only to the question of who shall fill assignments at least when involved with Rule 6 (L), which applies specifically to the determination of compensation for employees who are required to work on their assigned rest days.

AWARD

Claims sustained.

SPECIAL BOARD OF ADJUSTMENT NO. 525

(Signed) J. Glenn Donaldson
J. Glenn Donaldson, Neutral Member
Chairman

(Signed) R. K. Anthis
R. K. Anthis, Organization Member

(Signed) C. E. Baldrige
C. E. Baldrige, Carrier Member

Denver, Colorado
February 3, 1964.