

Award No. 3

Case No. 3

File No. 5039-43

Parties United Transportation Union (E)  
to and  
Dispute Green Bay & Western Railroad Company

Statement of Claim Claim of Engineer M. R. Scanlan for an extra \$4.00 claimed as part of holiday pay on April 8, 1977.

Findings The Board, after hearing upon the whole record and all evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearing held.

On April 7, 1977, Engineer Scanlan worked the 11:30 p.m. yard assignment without a helper. He was paid his regular 8 hours plus the \$4.00 arbitrary working without a fireman. April 8, 1977 (Good Friday) he did not work but was paid 8 hours straight time as holiday pay. He claims the extra \$4.00 because he worked the day before the holiday without a fireman.

The Organization advances the claim on the basis that Article 54 - "Current Rate Sheet", which reads as follows:

"An Engineer's fireman's, helper's and hostler's rate sheet, showing the weights on drivers and locomotive numbers and daily rates applicable, as agreed upon by the General Chairman of the U.T.U. and company representative, will be furnished each engineer, helper, and hostler by the company."

Notation on bottom of current rate sheet - "Engineers working without Fireman \$4.00 per basic day, or four cents per mile, for miles in excess of 100 are added to above rates."

The arbitrary of \$4.00 per basic day for working without a fireman in the schedule on this property clearly contemplates that the engineer

shall be paid for those days that he works without a fireman; that is, on the days actually worked without a fireman he is entitled to the arbitrary as set forth in the schedule. Arbitraries are not included in basic days under the holiday pay schedules as set forth in the National Agreement.

On this basis the claim lacks rule support and is therefor denied.

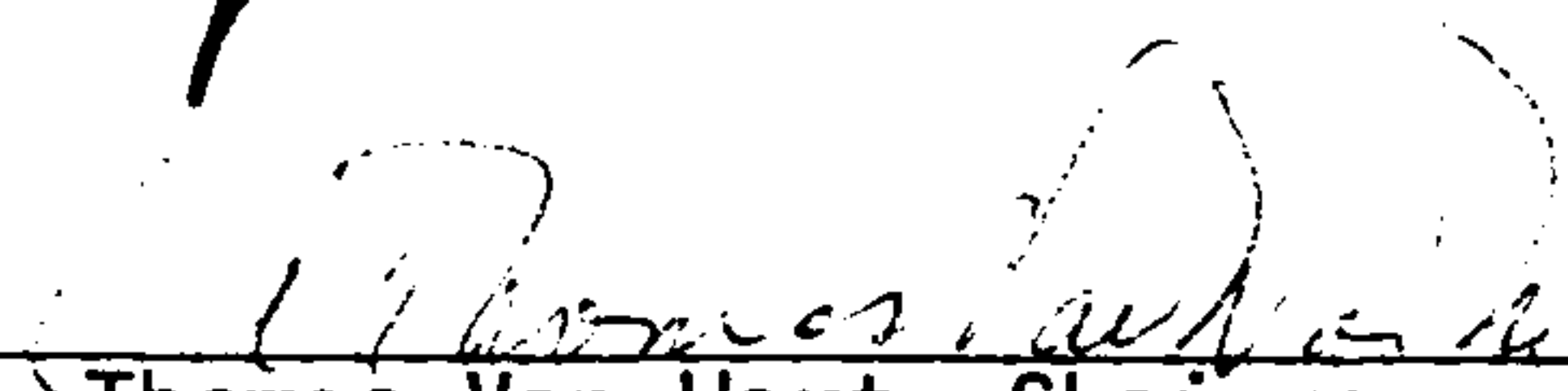
Award                      Claim denied.



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D. C. Deering, Employee Member



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R. L. Goethe, Carrier Member



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A. Thomas Van Wart, Chairman  
and Neutral Member

Issued at Green Bay, Wisconsin, February 9, 1979.