

Referee John Day Larkin

PARTIES Railroad Yardmasters of America  
TO  
DISPUTE: Penn Central Company  
(Formerly The Pennsylvania Railroad Company)

STATEMENT OF CLAIM: Claim and request of the Railroad Yardmasters of America: -  
System Docket No. 210 - Northern Division Case RYA NN-51

"The improper payment of the time claims, dated October 11, 1966, for the following Yardmasters: G. K. Young, C. Migdalski, R. J. Conley and C. W. Barron."

OPINION OF BOARD: The basic issue in this case is the same as that involved in Docket 2177, and disposed of in Award 2197, with Referee Jacob Seidenberg participating. It appears that the only difference is in the fact that in the earlier case the Claimant was called in on his rest day to relieve a fellow Yardmaster who had become ill, whereas in the instant case the Claimants were required by the Carrier to appear on their assigned rest day to attend a meeting concerning Carrier's loss and damage program.

After reviewing the record, we must conclude that, regardless of whether or not regular Yardmaster's service was performed, the fact that the Carrier asked Claimants to report on their rest day requires that they be paid the prescribed rate of pay for rest day service. As stated in Award 567, the purpose of the meeting which Claimants were required to attend constituted "work" within the meaning of Rule 4-C-1 (b).

We can find no basis for overruling Award 2197.

## FINDINGS:

The Fourth Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier and the employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due notice of hearing thereon.

The parties to said dispute waived right of appearance at hearing, but were granted privilege of appearing before the Division, with the Referee sitting as a member thereof, to present oral argument.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Fourth Division

ATTEST:

*Muriel L. Humfreville*

Muriel L. Humfreville  
Secretary

Dated at Chicago, Illinois, this 20th day of May, 1969.