

**Award No. 5445**

**Docket No. 5281**

**2-SLSF-MA-'68**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee Joseph S. Kane when award was rendered.

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 22, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Machinists)**

**ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That under current agreement Machinist Orval Ramsey has been improperly denied additional compensation in the amount of eight (8) hours at the pro rata rate for September 17, 1965.

2. That the Carrier be ordered to additionally compensate the aforesaid Claimant in the amount of eight (8) hours at the pro rata rate of pay for September 17, 1965.

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe 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.

Parties to said dispute waived right of appearance at hearing thereon.

The claimant's regular assignment was Monday through Friday, with Saturdays and Sundays rest days. He was on vacation Monday, August 23, and ending Friday, September 17, 1965, both dates inclusive. The claimant's birthday occurred during the vacation period on Friday, September 17, 1965.

The claim is for additional compensation in the amount of eight (8) hours at the pro rata rate of pay as birthday holiday pay incurred during the vacation period.

The claim alleged in this dispute has been before the Board in Award No. 5442 wherein the same rules, facts and circumstances were denied.

**AWARD**

**Claim denied.**

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of SECOND DIVISION**

**ATTEST: Charles C. McCarthy  
Executive Secretary**

**Dated at Chicago, Illinois, this 3rd day of June, 1968.**