



**Award No. 5086**

**Docket No. 4825**

**2-N&W-MA-'67**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee Paul C. Dugan when award was rendered.

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 16, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Machinists)**

**NORFOLK AND WESTERN RAILWAY COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That Management violated the Agreement by refusing to pay the following employees holiday pay for July 4, 1963 who were furloughed June 30, 1963 and returned to work July 15, 1963.

**Machinists**

R. G. St. Clair  
D. C. English  
P. R. Hudgins  
K. A. Schilling  
M. E. Pagans

W. C. Shelton  
C. T. Price, Jr.  
J. E. Richardson  
W. E. Palmer  
V. D. Trevillian

**Helper Machinist**

Ernest Bauman

2. That accordingly the Carrier be ordered to compensate the above named employees for eight (8) hours at the straight time rate for July 4, 1963 for the aforesaid violation.

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

The carrier or carriers and the employee or 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.

Parties to said dispute were given due notice of hearing thereon.

The issues and agreements involved in this dispute are similar to the issues and agreements determined by this Division in Award 5061, and since said award is controlling, this claim will be sustained.

**AWARD**

**Claim sustained.**

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

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

**Dated at Chicago, Illinois, this 31st day of March, 1967.**

**[See Award 5061 for Carrier Members' dissent.]**