

Award No. 5079

Docket No. 4351

2-NYC&StL-CM-'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.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 57, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Carmen)**

**THE NEW YORK, CHICAGO AND ST. LOUIS
RAILROAD COMPANY
(Wheeling and Lake Erie District)**

DISPUTE: CLAIM OF EMPLOYEES:

1. That under the controlling agreement the New York, Chicago and St. Louis Railroad Company unjustly deprived Carmen Angelo F. Iadanza and E. Carter eight (8) hours pay at the pro rata hourly rate of pay for the July 4, 1961 Holiday.
2. That accordingly, the New York, Chicago and St. Louis Railroad Company be ordered to compensate Carmen Angelo F. Iadanza and E. Carter eight (8) hours pay for that holiday.

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.

This dispute involves the same issues and agreement as in Award 5061, and for the reasons stated in that award, we will sustain the claim.

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.]

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