

**Award No. 5082**

**Docket No. 4499**

**2-C&EI-BM-'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. 20, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Boilermakers)**

**CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That under the current agreement, the Carrier improperly refused to compensate Boilermakers Guy O. Parks, Melvin B. Robinson and Helper Lee Clawson, eight (8) hours at the pro rata rate of pay for July 4, 1962 (Fourth of July).

2. That accordingly, the Carrier be ordered to compensate the aforementioned employees for eight (8) hours each at the straight time rate of pay.

**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 waived right of appearance at hearing thereon.

The issue herein in regard to holiday pay for July 4, 1962 is similar to the issue and agreement involved in Award 5061, and for the reasons stated in that award, we will sustain this 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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