

Award No. 5416
Docket No. 5217
2-NYNH&H-MA-'68

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Gene T. Ritter when award was rendered.

PARTIES TO DISPUTE:

SYSTEM FEDERATION NO. 17, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. - C. I. O. (Machinists)
THE NEW YORK, NEW HAVEN AND
HARTFORD RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Carrier violated the current agreement when they refused to pay Machinist Helper Edward F. Gregorowich, one day's pay in addition to his vacation pay for his birthday, March 18, 1965, which fell during his vacation period.

2. That accordingly the Carrier be ordered to additionally compensate Machinist Helper Edward F. Gregorowich in the amount of eight (8) hours pay for March 18, 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 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 parties hereto have stipulated and agreed that this claim shall be disposed of by the findings as contained in Award No. 5414 for the reason that this dispute involves the same issue. Accordingly, this claim shall be 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 May 1968.

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