



Award No. 5458

Docket No. 5153

2-UP-BK-'68

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee William H. Coburn when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 105, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Blacksmiths)
UNION PACIFIC RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Carrier violated the current agreement when it failed to compensate Blacksmith H. I. Peterson for his birthday holiday, which occurred February 16, 1965.

2. That accordingly the Carrier be ordered to comply with the agreement and compensate claimant for eight hours' pay at the pro rata rate of pay for February 16, 1965, as provided by the agreement.

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 Findings of the Board in Award No. 5454 are applicable and controlling here.

Accordingly, this claim will also 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 21st day of June, 1968.

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