



Award No. 5459

Docket No. 5159

2-SP(T&L)-BM-'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. 162, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Boilermakers)**

**SOUTHERN PACIFIC COMPANY
(Texas and Louisiana Lines)**

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Southern Pacific Company violated Article II, Section 6(a) of the November 21, 1964 Agreement.

2. That accordingly, the Southern Pacific Company compensate G. Els eight (8) hours at the pro rata rate of pay or an additional day off with pay, for his birthday while on vacation, April 30, 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 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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