



**Award No. 5762**

**Docket No. 5591**

**2-CMSTP&P-CM '69**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

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

**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 76, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Carmen)**

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC  
RAILROAD CO.**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That the current Agreement was violated when Carrier failed to properly compensate employees:

W. Heider

R. Punchard

F. L. Newstrom

E. Fairbanks

M. Berg

W. Smith

for service performed on February 22, 1966 (Washington's Birthday).

2. That accordingly the Carrier be ordered to compensate above listed claimants in the amount of eight (8) hours at time and one-half rate.

**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 employees 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.

This claim involved the same parties, agreement and issue as in Award No. 5761. For reasons stated in Award No. 5332 we will sustain the claim.

**A W A R D**

**Claim sustained.**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Second Division

**ATTEST: Charles C. McCarthy**  
**Executive Secretary**

**Dated at Chicago, Illinois, this 10th day of September, 1969.**