

The Second Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

Parties to Dispute: (System Federation No. 121, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(The Texas and Pacific Railway Company

Dispute: Claim of Employees:

- 1. That Car Inspectors B. T. Ballweg, L. F. Crouch, C. W. Sanders and V. H. Story, were improperly compensated under the terms of the current agreement for December 25, 1974, holiday while on vacation.
- 2. That accordingly, the carmen be made whole by additionally compensating Car Inspector's B. T. Ballweg, L. F. Crouch, C. W. Sanders and V. H. Story, for holiday during vacation, in the amount of four (4) hours at the pro rata 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 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.

Except for the dates involved this dispute is identical to the one covered in Award No. 7268. For the reasons stated in that Award the Claim is denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 5th day of April, 1977.