

The Second Division consisted of the regular members and in addition Referee Irwin M. Lieberman when award was rendered.

Parties to Dispute: (System Federation No. 109, Railway Employees'
(Department, A. F. of L. - C I O.
((Carmen)
(
(Consolidated Rail Corporation

Dispute: Claim of Employees:

- (a) That the Carrier violated the controlling agreement when they unilaterally changed the observation of Veteran's Day from October 27, 1975 to November 11, 1975.
- (b) That accordingly, the Carrier be ordered to compensate all Carmen Craft employees listed as Claimants in Employee's Exhibits E, E-2, H and H-2, for eight (8) hours each at the punitive rate for services performed on October 27, 1975, and/or eight (8) hours each at the pro rata rate while on rest day or assigned vacation.

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.

This dispute is identical in all material respects, except for the Claimants named, to the dispute disposed of by Award 7849. Both disputes concern a change in the date for celebration of the Veteran's Day Holiday in 1975. For the reasons set forth in the preceding dispute, supra, this claim must also be denied.

A W A R D

Claim denied.


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Award No. 7850
Docket No. 7561
2-CR-CM-'79

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 21st day of February, 1979.