

Award No. 7473

Docket No. CL-7547

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that:

1. The Carrier violated the Agreement, signed at Chicago, Illinois, August 21, 1954, when on Thursday, November 25, 1954, Thanksgiving Day, it failed and refused to allow pay for the holiday not worked to Mr. Lester L. Dominichetti, Clerk, Missabe Division, and that;

2. Mr. Lester L. Dominichetti shall now be paid one day's pay, at pro rata rate, for Thursday, November 25, 1954, Thanksgiving Day, and that;

3. All other employees who have been denied paid holidays under similar circumstances shall now be made whole for wage loss suffered by reason of the violation of the August 21, 1954 Agreement.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That carrier and employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon has been held and concluded. Under date of October 29, 1956, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

**ATTEST: A. Ivan Tummon
Executive Secretary**

Dated at Chicago, Illinois, this 30th day of November, 1956.