

Award No. 9598
Docket No. TE-9759

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

NORFOLK SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Norfolk Southern Railway that:

Carrier violated the agreement between the parties when it failed and refused to compensate Operator-Clerk C. W. Wilkinson eight hours pay at the pro rata hourly rate for the holiday of July 4, 1956, at Marsden, North Carolina; and that the Carrier shall now be directed to compensate Mr. Wilkinson for such holiday.

OPINION OF BOARD: Under the particular circumstances of this case and without construing the involved rules as they might apply to any other situation, claim is sustained.

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 the Carrier and the Employees involved in this dispute are respectively Carrier and Employees 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; and

That the claim will be disposed of in accordance with the Opinion.

AWARD

Claim sustained in accordance with the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 19th day of October, 1960.