

Award No. 9896
Docket No. CL-9273

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Martin I. Rose, Referee

PARTIES TO DISPUTE:

CHICAGO GREAT WESTERN RAILWAY COMPANY

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

STATEMENT OF CLAIM: (3) Claim in behalf of H. Anderson and some nineteen (19) other employees in the Purchasing and Stores Department, Transportation Department and Accounting Department for holiday compensation in accordance with the August 21, 1954 Agreement, for holidays which occurred while some employees were on their vacation during the year of 1954. Carrier's file K-153, Organization's Case G-685.

OPINION OF BOARD: This case is the same as in Award 9867 except that the nine months time limit provided in Rule 40 (c) is applicable. For the reasons stated in that award, this claim should also be dismissed.

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 is barred by Rule 40 (c) of the Agreement.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of March, 1961.