

Award No. 14851
Docket No. CL-15597

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

(Supplemental)

John H. Dorsey, Referee

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-5754) that:

(1) The Carrier violated the Clerks' Agreement when in changing the assigned rest days of J. L. Seymour, regularly assigned incumbent of Assistant Passenger and Ticket Agent No. 765 at San Antonio, Texas, it improperly suspended him from work on July 14 and 15, 1964.

(2) Carrier shall now compensate J. L. Seymour for two additional days at the straight time rate.

EMPLOYEES' STATEMENT OF FACTS: Prior to time cause for this claim arose, J. L. Seymour was regularly assigned to Assistant Passenger and Ticket Agent No. 765 in the Ticket Office at San Antonio, Texas, with assigned hours 8:00 A. M. to 4:30 P. M., work week commencing on Sunday and assigned rest days Friday and Saturday.

On July 7, 1964, the Carrier issued Bulletin No. 65 changing the rest days of this position to Saturday and Sunday, designating the effective date as July 13, 1964. Employees' Exhibit No. 1.

Immediately prior to and subsequent to July 13, 1964, Claimant Seymour worked as follows:

Sunday	July 5	worked
Monday	July 6	worked
Tuesday	July 7	worked
Wednesday	July 8	worked
Thursday	July 9	worked
Friday	July 10	rest

OPINION OF BOARD: This case involves the same parties and identical issue as in Award No. 7 of Special Board of Adjustment No. 341. Since we find that Award is not palpably wrong, we hold it to be dispositive of the issue on the particular property. Accordingly, we will deny the claim.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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 Carrier did not violate the Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 14th day of October 1966.