



Award No. 16100  
Docket No. CL-16445

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

**(Supplemental)**

Daniel House, Referee

**PARTIES TO DISPUTE:**

**CHICAGO UNION STATION COMPANY**

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

**STATEMENT OF CLAIM:** Claim of the Carrier that the following employees were properly compensated at the rate of eight hours' pay each at time and one-half rate for eight hours' service performed on November 25, 1965:

G. J. Williams	Steve Kubala
Leroy Rogers	Kenneth T. Marsh
Earl C. Mazurk	C. McClendon
W. C. Kukac	A. H. Miller
Tommie Ervin	J. D. Miller
R. E. Coles	J. L. Miller
Raymond Bruski	Otis Owens
William Wilson	Thomas Posley
Jerome Dillard	R. J. Richardson
C. Z. Bradford	J. F. Riehecky
Harvey Brunner	R. T. Roundtree
D. M. Conway	J. J. Schneider
P. L. Cox	James Slaughter
James A. Dotson	Wilson Shivka
W. E. Frazer	Sylvester Smith
Matthew Gaffney	E. J. Stokes
J. B. Gap	L. H. Tilley
N. C. Goodwin	J. H. Wright
Edmund Guy	J. J. McKenna
W. C. Hunt	Charlie Robinson
Alonzo Hunter	C. A. Cline
R. M. Hyman	J. R. Koestner

**CARRIER'S STATEMENT OF FACTS:** The claimants involved in this case are regularly assigned Mail Department employees of the Chicago Union Station Company, hereinafter referred to as the Carrier, and worked the

rate only once, which is as it should be; certainly, there was never any intention to pay twice, and there has never been any change in the rules. We can cite you literally hundreds of occasions over the years where the employes worked on a holiday that was also a rest day, and they claimed and were paid at the overtime rate only once.

I do not agree that the Awards cited by you support your position. I would call your attention to Third Division Award 14240, BRC v. GTW, in which Referee Perelson denied similar claims in a very well reasoned opinion.

The claims above referred to are respectfully declined.

Yours truly,

/s/ G. P. Henson"

(Exhibits not reproduced.)

**OPINION OF BOARD:** Carrier's Claim in this case is that the employes listed, all of whom worked on the Thanksgiving Day Holiday, November 25, 1965, which was also the rest day of each, were properly paid at the rate of eight hours' pay at time and one half; claims, which we shall call Organization's Claims, were filed with Carrier by Organization that each listed employe was entitled to an additional eight hours' pay at time and one half for the work performed on November 25, 1965.

The underlying question is dealt with by us in our Award No. 16099 in a case between the same parties which we are adopting at the same time as this. For the reasons given in that Award, we will deny Carrier's Claim here, and sustain Organization's Claims.

**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 the Carrier violated the Agreement.

#### AWARD

Carrier's Claim denied; Carrier shall pay each employe listed in the Claim one day's pay at time and one-half for work performed by each on November 25, 1965, in addition to that already paid each.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of THIRD DIVISION

ATTEST: S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 21st day of February 1968.

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