



Award Number 17577

Docket Number TE-17759

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Paul C. Dugan, Referee

PARTIES TO DISPUTE:

**TRANSPORTATION-COMMUNICATION EMPLOYEES UNION
THE NEW YORK, NEW HAVEN AND HARTFORD
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of the Transportation-Communication Employees Union on the New York, New Haven and Hartford Railroad, that:

1. Carrier violated the Agreement between the parties when during the year 1966 it did not allow CTC Operator L. G. Norman his vacation and refused to compensate him for time worked in accordance with the Agreement. Railroad Docket 10,683.
2. Carrier violated the Agreement between the parties when during the year 1966 it did not allow Leverman J. L. Plagesse his vacation and refused to compensate him for time worked in accordance with the Agreement. Railroad Docket 10,685.
3. Carrier violated the Agreement between the parties when during the year 1966 it did not allow Ticket-Agent-Operator V. N. Zolinsky his vacation and refused to compensate him for time worked in accordance with the Agreement. Railroad Docket 10,689.
4. Carrier violated the Agreement between the parties when during the year 1966 it did not allow Agent-Operator S. M. Tice his vacation during the year 1966 and refused to compensate him for time worked in accordance with the Agreement. Railroad Docket 10,713.
5. Carrier shall be required to pay Claimants named in 1, 2, 3 and 4 above at the rate of time and one-half for the number of days vacation to which they were entitled during the year 1966, less the amounts they have been paid for working.

EMPLOYEES' STATEMENT OF FACTS:

(a) STATEMENT OF THE CASE

An Agreement between the parties dated September 1, 1949, as amended and supplemented, is available to your Board and by this reference is made a part hereof.

These claims were timely presented, progressed to the highest officer designated by the Carrier to receive appeals, including conference, in ac-

Copy of Agreement between the parties dated September 1, 1949, as amended, is on file with your Board and is, by reference, made a part of this submission.

(Exhibits Not Reproduced)

OPINION OF BOARD: The facts and issue in this dispute are similar to the facts and issue in Award 17575, and for the reasons stated in said Award, we are compelled to sustain these 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 Agreement was violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 11th day of November 1969.