

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19436
Docket Number CL-19452

Joseph E. Cole, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,
(Freight Handlers, Express and Station Employees
(The Atchison, Topeka and Santa Fe Railway Company
(- Coast Lines -

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6999)
that:

(a) Carrier violated the rules of the current Clerks' Agreement at San Bernardino, May 30 and July 4, 1969, when it required Mr. M. J. Adcock to take the holiday off and allowed other employees to perform his duties; and,

(b) Mr. M. J. Adcock shall now be compensated for eight (8) hours pay at time and one-half for May 30 and July 4, 1969 in addition to any other compensation he received on these dates as a result of such violation of Agreement rules.

OPINION OF BOARD: 1. The current position is a seven day position.
2. Claimant or his regular relief performed the duties required.
3. Under the rules and according to the record, Claimant should have been called to do this work on the holidays in question.

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 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 Agreement has been violated.

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Claim sustained.

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By Order of Third Division

ATTEST:

E. A. Hillen
Executive Secretary

Dated at Chicago, Illinois, this 17th day of October 1972.