

NATIONAL ~~RAILROAD~~ ADJUSTMENT BOARD

THIRD DIVISION

Award Number **20696**

Docket Number CL-20638

Francis X. Quinn, Referee

PARTIES TO DISPUTE: ((Brotherhood of Railway, Airline and Steamship
(Clerks, Freight **Handlers, Express** and
(Station Employes
(
(Chicago, Milwaukee, St. **Paul** and Pacific Railroad
(Company

STATEMENT OF CLAIM: Claim of the System **Committee** of the Brotherhood
(**GL-7493**) that:

1. Carrier violated the provisions of the Clerks' **Rules** Agreement at Chicago, Illinois **when** it refused to pay **employee** M. Stout for time absent account sickness occurring April 24 through 28, 1972 inclusive;

2. Carrier shall now be required to compensate **employee** M. Stout for four days' pay at the rate applicable to Position No. 2880, **Comptometer** Operator, in line with the provisions of Memorandum No. 2 for April 24 through 28, 1972.

OPINION OF BOARD: The record indicates that Carrier's failure to allow sick leave payment to **Employee** Stout for April 24 through April 28, 1972 violated the provision of revised Memorandum of **Agreement** No. 2. In addition, Carrier's refusal to honor statements from her physician violated the provisions of paragraph (H) thereof. Therefore we will sustain 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 **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 was violated.

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Claim sustained.

NATIONAL RAILROAD **ADJUSTMENT** BOARD
By Order of Third Division

ATTEST: *A.W. Paulos*
Executive Secretary

Dated at Chicago, Illinois, this 17th day of April 1975.