

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **23590**
Docket Number **CL-23500**

Herbert L. Marx. Jr., Referee

PARTIES TO DISPUTE: ({Brotherhood of Railway, Airline and Steamship Clerks,
{ Freight Handlers, Express and Station Employees
(Chesapeake and Ohio Railway Company

STATEMENT OF CLAIM: **Claim** of the System **Committee** of the Brotherhood (**GL-9022**)
that:

(a) The Carrier violated the Clerical Agreement when they did not apply the provisions of the **General** Agreement and **Memorandum** Agreement dated September 1, **1949** and **arrange** to **allow** R. T. French 1 day in excess of 252 Annual Work Days in **1974**.

(b) The Carrier should now recompute R. T. French's pay for the Year 1974 and **allow** him \$56.46 for 1 day's pay due to working 1 day in excess of the 252 **Annual** work Days in **1974**.

OPINION OF BOARD: Except as to **name** of Claimant and **Claimant's** rate of **pay**, this claim is identical to that considered by the Board in Award No. **23589**. Upon full review of **the** record, an identical award is **appropriate, based upon all of the same reasoning.**

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 Employee involved in this dispute are respectively Carrier and Employee 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: **Acting** Executive Secretary
National Railroad Adjustment Board

By *Rosemarie Brasch*
Rosemarie **Brasch** - Administrative Assistant

Dated at Chicago, Illinois, this 10th day of March 1982.

