

NATIONAL RAILROAD **ADJUSTMENT** BOARD

THIRDDIVISION

Award Number 23592
Docket Number CL-23502

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-9024)
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 M. N. Perdue 3 day**; in excess of 252 Annual Work Days in 1974.

(b) **The** Carrier should now recompute M. N. **Perdue's** pay for the Year 1974 and allow him \$112.92 for 2 days pay due to working 3 days in excess of the 252 Annual. Work Days in 1974.

OPINION OF BOARD: Except as to name of **Claimant**, the Claimant's rate of pay, and a claim for two days' pay instead of one day's 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 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 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.

Award Number 23592
Docket Number CL-23502

Page 2

A W A R D

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.

