

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23593  
Docket Number CL-23503

Herbert L. Marx, Jr., Referee

PARTIES TO DISPUTE:

(Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station Employes  
(Chesapeake and Ohio **Railway** Company

STATEMENT OF CLAIM: **Claim** of the System **Committee** of the Brotherhood (**GL-9005**)  
**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 J. H. Hovatter, Jr., 3 days in excess of 252 Annual work Days in 1974.

(b) The Carrier should now recompute J. H. Hovatter, **Jr.'s** pay for the Year **1974** and allow him \$105.78 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 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.

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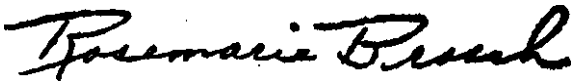
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A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: Acting Executive Secretary  
National Railroad Adjustment Board

By   
Rosemarie Brasch - Administrative Assistant

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

