

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **23596**
Docket Number CL-23506

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-9028) 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, **Norbert A. Wheeler #2902085**, 2 days in excess of **251** Annual Work Days in **1976**.

(b) The Carrier should **now** recompute **Norbert A. Wheeler** pay for the **Year 1976 and** allow him \$151.30 for 2 days pay due to working 2 days in excess of the 251 Annual work Days in **1976**.

OPINION OF BOARD: Except as to name of Claimant, the change in number of holidays, 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 23596**
Docket **Number CL-23506**

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**.

