

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23599
Docket Number CL-23509

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-9031)
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 • range to allow W. H. Martin 3 days in excess of 252 **Annual Work Days** in 1974.

(b) **The** Carrier should now recompute W. H. Martin's pay for the year 1974 and allow him \$123.10 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 • e 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: Acting Executive Secretary
National Railroad Adjustment Board

By *Rosemarie Brasch*
Rosemarie Brasch - Administrative Assistant

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

