

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **23602**
Docket Number CL-23512

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-9034)**
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 • llcw W. H. Martin, 2 days in excess of **252** Annual Work Days in **1975**.

(b) The **Carrier** should now recompute W. H. Martin pay for the Year **1975** and allow him **\$123.10** for 2 days pay due to working 2 days in excess of the 252 Annual Work Days in **1975**.

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 apprwed **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.

