

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23603
Docket Number CL-23513

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-9035) 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 **•** rrmge to allow **Marcus** N. Pea-due, 2 days, in excess of **252 Annual Work Days** in **1975**.

(b) The Carrier should now recompute M. N. **Perdue's** pay for the **year** 19'75 **and** allow him **\$112.92** 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 Awud 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 23603
Docket Number ~~CL~~-23513

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.

