

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award Number 23653
Docket Number CL-23559

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-9081) 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 F. H. Sampson ID #2607120, 2 days in excess of 251 **Annual Work Days** in 1976.

(b) The Carrier should now recompute F. A. Sampson's pay for the **year** 1976 and allow him \$139.74 for 2 days pay due to working 2 days in excess of the 251 Annual Work Days in 1976.

OPINION OF BOARD: The issue in this claim is identical to that considered in Award 23589. The claim will be sustained on **the** basis of **that** Award.

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

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 26th day of March, 1982.