

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award Number 23756
Docket Number CL-23662

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-9187) that:

(a) The Carrier violated the terms of the General Agreement and Memorandum Agreement dated September 1, 1949, when it failed and refused to allow Clerks J. A. Carr and J. E. Smith, Jr., two (2) days in excess of the 251 Annual Work Days in 1976; and that

(b) The Carrier shall now arrange to recompute the above named employees' pay for the year 1976 and allow them each \$145.36 due to working two **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.

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 26th day of March, 1982.

