

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award Number 23796
Docket Number CL-23718

Herbert L. Marx, Jr., Referee

(Brotherhood of Railway, Airline and Steamship Clerks,
(Freight Handlers, Express and Station Employees

PARTIES TO DISPUTE: (
(Chesapeake and Ohio Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
(GL-9231) that:

(a) The Carrier violated the Clerical Agreement when they did not apply the provisions of the General **Agreement** and Memorandum Agreement dated September i, 1949 and arrange to **allow** Claimant(s), 2 days in excess of 251 Annual Work Days in 1976.

(b) The Carrier should now recompute claimant(s)' pay for the year 1976 and allow him \$... for 2 days pay due to working 2 days in excess of the 251 Annual Work Days in 1976, covering the following claimants:

Herbert B. Fitzgerald	Position E-1	Rate \$1,721.00 + 22 x 2
Gordon R. Corbett	Position E-2	Rate \$1,632.59 + 22 x 2
Glenn H. Hopkins, Jr.	Position E-3	Rate \$1,892.49 + 22 x 2
E. V. Shiflett	Position E-4	Rate \$1,510.96 + 22 x 2
C. H. Munn, Jr.	Position E-5	Rate \$1,510.96 + 22 x 2
Donald I. Tiller	Position E-6	Rate \$1,510.96 + 22 x 2
Charles F. Williams	Position E-7	Rate \$1,510.96 + 22 x 2
Robert A. Blunt	Position E-8	Rate \$1,510.96 + 22 x 2
Joseph J. Baroody	Position E-9	Rate \$1,392.53 + 22 x 2
Josephine E. Yowell	Position E-11	Rate \$1,311.69 + 22 x 2

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

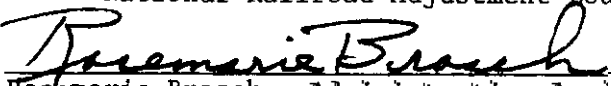
That the Agreement was violated.

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 - Administrative Assistant

Dated at Chicago, Illinois, this 26th day of March, 1982.

