

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Award Number 23801  
Docket Number CL-23723

Herbert L. Marx, Jr., Referee

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

PARTIES TO DISPUTE: (

(Chesapeake and Ohio Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(CL-9236) 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 W. W. **Bourne** 2 days in excess of 251 **Annual Work** Days in 1976.

(b) The Carrier should now recompute W. W. **Bourne's** pay for the year 1976 and allow him \$1696.11 + 22 x 2 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.

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, 1932.

