

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION'

Award Number 23803
Docket Number CL-23725~

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-9238) 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 **J. H. Painter**, 2 days in excess of
251 Annual Work Days in 1976.

(b) The Carrier should now recompute J. H. Painter's pay for the
year 1976 and allow him **\$1,633.77 + 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 - Administrative Assistant

Dated at Chicago, Illinois, this **26th** day of March, 1932.

