

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 32417
Docket No. CL-32138
98-3-94-3-556**

The Third Division consisted of the regular members and in addition Referee Edwin H. Benn when award was rendered.

**(Transportation Communications International Union
PARTIES TO DISPUTE: (
(Chicago, Central & Pacific Railroad Company**

STATEMENT OF CLAIM:

"Claim of the System Committee of the Organization (GL-11104) that:

- (1) Carrier violated the agreement when it arbitrarily changed the days recognized as holidays for the Christmas 1993 and New Year's Day 1994 after seeking, and failing to obtain, agreement with the Union to change such days;**
- (2) Carrier shall now compensate Clerks D. D. Gerst, J. C. Huntley, D. A. Savage and J. E. Broell, eight (8) hours' pay each for each of dates December 25, 1993 and January 1, 1994."**

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

This is the same basic dispute addressed by the Board in Third Division Award 32418. For those reasons, this claim shall also be sustained.

AWARD

Claim sustained.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) be made. The Carrier is ordered to make the Award effective on or before 30 days following the postmark date the Award is transmitted to the parties.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 21st day of January 1998.