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**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 37904
Docket No. TD-38236
06-3-04-3-167**

The Third Division consisted of the regular members and in addition Referee Ann S. Kenis when award was rendered.

PARTIES TO DISPUTE: (American Train Dispatchers Association
(Peoria & Pekin Union Railway Company)

STATEMENT OF CLAIM:

"The P&PU Railway Co. (the Carrier) violated the current agreement between the Carrier and the Organization, including Appendix III in particular, when it declined payment of sick day claimed by Train Dispatcher K. S. Ginn for June 26, 2003 and failed to credit her with the correct number of sick days for the year 2003.

Because of said violation, the Carrier shall now compensate Ms. Ginn one (1) day's pay at the Trick Train Dispatcher's rate and credit her with any additional five (5) days' sick leave."

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.

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In accordance with the agreement of the parties, this claim is hereby dismissed.

AWARD

Claim dismissed.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 22nd day of August 2006.