

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
NORFOLK SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Norfolk Southern Railway that:

1. The Carrier violated the agreement between the parties when it failed and refused to compensate the following employes for paid holidays as shown below:

(a) L. E. Boyd—May 31, 1954, (Decoration Day); July 5, 1954, (Fourth of July); and September 6, 1954, (Labor Day).

(b) Daisy H. Weeks—September 6, 1954, (Labor Day).

(c) J. F. Martin—September 6, 1954 (Labor Day).

(d) J. F. Martin—February 22, 1955, (Washington's Birthday).

(e) Daisy H. Weeks—May 30, 1955, (Decoration Day).

(f) W. E. More—May 30, 1955, (Decoration Day).

(g) L. E. Boyd—July 4, 1955, (Fourth of July).

2. The Carrier shall now be required to compensate these employes eight (8) hours' pay at the pro rata hourly rate of the positions to which assigned for each of the above enumerated holidays.

OPINION OF BOARD: Under the particular circumstances of this case and without construing the involved rules as they might apply to any other situation, Claims (a) and (g) will be sustained; and Claims (b), (c), (d), (e) and (f) will be denied.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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 claims will be disposed of in accordance with the Opinion.

AWARDS

Claims a) and (g) sustained; claims (b), (c), (d), (e), and (f) denied; all in accordance with the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 19th day of October, 1960.