

Award No. 9597

Docket No. TE-9525

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

CHICAGO GREAT WESTERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Chicago Great Western Railway that:

1. Carrier violates the agreement between the parties when it failed and refused to pay F. G. Daenser on Thanksgiving Day, November 24, 1955, A. H. Anfong and J. E. Judson on Christmas, December 26, 1955 eight hours' pro rata pay for the holiday.
2. Carrier be required to compensate F. G. Daenser, A. H. Anfong and J. E. Judson, each, eight hours' pro rata pay at the rate of their respective assignments for the holidays.
3. Carrier further be required to pay any employe relieving on an assignment subsequent to December 26, 1955 who qualifies under the provisions of Article II of the August 21, 1954 Agreement, eight hours' pro rata pay for each holiday in such assignment.

OPINION OF BOARD: Under the particular circumstances of this case and without construing the involved rules as they might apply to any other situation, claim is 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 Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD

By Order of THIRD DIVISION

ATTEST: S. H. Schulty

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