

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20698
Docket Number CL-20641

Francis X. Quinn, Referee

(Brotherhood of Railway, Airline and Steamship
(Clerks, Freight Handlers, Express and
(Station Employees
PARTIES TO DISPUTE: (
(Chicago, Milwaukee, St. Paul and Pacific Railroad
(Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
(GL-7495) that:

- 1) Carrier violated the provisions of the Clerks' Rules Agreement at Chicago, Illinois when it refused to pay employee J. Mathisen for time absent account of sickness occurring on May 3, 1972.
- 2) Carrier shall now be required to compensate employee J. Mathisen a day's pay at the rate applicable to Position No. 43360, Lead Review Clerk, for May 3, 1972.

OPINION OF BOARD: The Claim and issue are identical with those in Award 20406 (Blackwell) and the controlling issues are all adjudicated in that Award. Prior Awards involving the same parties and issues are controlling, hence the claim will be denied.

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 not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Paulsen
Executive Secretary

Dated at Chicago, Illinois, this 17th day of April 1975.