

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23599
Docket Number CL-23509

Herbert L. Marx, Jr., Referee

PARTIES TO DISPUTE:

{ Brotherhood of Railway, Airline and Steamship Clerks,
Freight Handlers, Express and Station Employees
{ Chesapeake and Ohio Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (CL-9031) that:

(a) The Carrier violated the Clerical Agreement when they did not apply the provisions of the General Agreement and Memorandum Agreement dated September 1, 1949 and arrange to allow W. H. Martin 3 days in excess of 252 Annual Work Days in 1974.

(b) The Carrier should now recompute W. H. Martin's pay for the year 1974 and allow him \$123.10 for 2 days pay due to working 3 days in excess of the 252 Annual Work Days in 1974.

OPINION OF BOARD: Except as to name of Claimant, the Claimant's rate of pay, and a claim for two days' pay instead of one day's pay, this claim is identical to that considered by the Board in Award No. 23589. Upon full review of the record, an identical award is appropriate, based upon all the same reasoning.

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 Employee involved in this dispute are respectively Carrier and Employee 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 violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: Acting Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 10th day of March 1982.

