

C
O
P
Y

Docket No. C1-993.12
Award No. 9

SPECIAL BOARD OF ADJUSTMENT NO. 172

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
versus
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that,

- 1 - Carrier violates the provisions of Rule 22(b) - REST DAYS AND HOLIDAYS - by refusing to comply with the provisions of said rule, and
- 2 - Carrier shall be required to properly compensate all affected Employees subsequent to May 1st, 1954.

FINDINGS

Insofar as the claim for holiday pay under Article II, Section 1 of the Agreement of August 21, 1954, it must be denied on the authority of Award Nos. 7433, 7434, 7479 and 7722 of the Third Division, National Railroad Adjustment Board.

Insofar as the claim relates to payment for work performed on holidays, it must be sustained under the provisions of Rule 22(b). It is noted that Section 5 of Article II of the Agreement of August 21, 1954 expressly provides that such rule shall not be construed to change existing rules and practices thereunder governing the payment for work performed on a holiday. Accordingly, 22(b) is not affected by that Agreement and remains in full force and effect.

AWARD

Claim of violation relative to pay for holidays is denied.

Claim of violation relative to pay for work performed on holidays is sustained.

SPECIAL BOARD OF ADJUSTMENT NO. 172

/s/ Dudley E. Whiting
Dudley E. Whiting - Chairman

/s/ Wm. A. Palmatier
W.A. Palmatier - Employee Member

/s/ J. J. Duffy
J.J. Duffy - Carrier Member

Jersey City, N.J.
March 20, 1957