

Award No. 9  
S.B.A. Case No. 9  
(Third Division Docket No. 8961)

SPECIAL BOARD OF ADJUSTMENT NO. 313

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
and  
UNION PACIFIC RAILROAD COMPANY

STATEMENT  
OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

- "(1) The Carrier violated the agreement when it refused to allow Extra Gang Laborer Jose Avina a paid vacation during the calendar year of 1955;
- "(2) Extra Gang Laborer Jose Avina now be allowed eighty (80) hours' vacation pay (10 days at straight time rate) and, in addition thereto, be paid the difference between what he was paid at the straight time rate and what he should have been paid at the time and one-half rate for all time worked by Claimant Avina from July 18 to 29, 1955, both dates inclusive, which was the period scheduled for the claimant's 1955 vacation."

FINDINGS: The parties to the above dispute have agreed upon a settlement thereof.

AWARD: Claim dismissed.

SPECIAL BOARD OF ADJUSTMENT NO. 313

(s) Marion Beatty  
Marion Beatty, Chairman

(s) A. J. Cunningham  
A. J. Cunningham, Organization Member

(s) A. D. Hanson  
A. D. Hanson, Carrier Member

Omaha, Nebraska  
June 9, 1960