

**Award No. 3105**

**Docket No. 3257**

**2-ART-CM-'59**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

---

**PARTIES TO DISPUTE:**

**BROTHERHOOD RAILWAY CARMEN OF AMERICA  
OPERATING THROUGH THE RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO**

**AMERICAN REFRIGERATOR TRANSIT COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1—That it was inconsistent with the current collective bargaining agreement and particularly Rule 1, paragraph (c) thereof to change the assignment of F. F. DeBevc from five (5) days of work, Mondays thru Fridays with rest days Saturday and Sunday, to Wednesday thru Sundays, with rest days Monday and Tuesday. And to change G. F. Jamnik assignment from five (5) days of work, Mondays thru Friday with rest days Saturday and Sunday, to Friday thru Tuesday with rest days Wednesday and Thursday.

2—That accordingly the carrier be ordered to

(a) Additionally compensate F. F. DeBevc at the straight time rate for having been deprived of his right to work each Monday and Tuesday retroactive to July 13, 1957. And additionally compensate G. F. Jamnik at the straight time rate for having been deprived of his right to work each Wednesday and Thursday retroactive to July 15, 1957.

(b) Additionally compensate both DeBevc and Jamnik at over-time rates for the service which they were required to perform on each Saturday and Sunday retroactive to July 13, 1957.

**STATEMENT:** The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form and the Division is now in receipt of a request from the employes that the case be withdrawn.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman  
Executive Secretary

Dated at Chicago, Illinois, this 13th day of February, 1959.