

Award No. 1724

Docket No. 1634

2-AT&SF-CM-'53

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 97, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. (Carmen)**

**ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, THE
EASTERN LINES**

DISPUTE: CLAIM OF EMPLOYEES: 1. That under the current agreement Carman C. J. Smith was unjustly deprived of his contractual seniority rights to work his rest days at Shawnee, Oklahoma when Carman Caylor, who holds no seniority rights at Shawnee, Oklahoma, was improperly assigned to perform service on such rest days.

2. That accordingly the Carrier be ordered to compensate Carman C. J. Smith in the amount of eight (8) hours' pay at the time and one-half rate for each such rest day Carman Caylor was improperly assigned to perform service at Shawnee, Oklahoma, retroactive in accordance with Rule 33 (c), and for each rest day thereafter until violation is corrected.

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form, hearing was held thereon, and the Division is now in receipt of a request from the employes that the case be withdrawn.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 30th day of November, 1953.