

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

THE TEXAS AND PACIFIC RAILWAY COMPANY

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

1. The Carrier is violating and continues to violate its agreement with the Brotherhood when it requires the Cashier at Whitesboro, Texas to work that position on intermittent service.
2. The Carrier be required to re-assign the hours of service on position of Cashier at Whitesboro, Texas, not to exceed eight hours within a spread of nine hours.
3. The Carrier be required to compensate the occupant of the position of Cashier, Mr. P. A. Tarpley, at time and one-half time for one hour and thirty minutes (1'30") for each and every day that he has worked from April 20, 1939 to May 21, 1941 inclusive; and one hour and fifteen minutes (1'15") at time and one-half from May 22, 1941 to September 5, 1941 inclusive, and forty-five minutes (0'45") at time and one-half from September 6, 1941 until adjustment is made or until hours of service are again changed and in such event, compensated as above for whatever violation may occur.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held but not concluded. Under date of August 11, 1942, the Petitioner addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 8th day of September, 1942.