

Award No. 3960
Docket No. CL-4205

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

ERIE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that the carrier violated the rules of the Clerks' Agreement at Cleveland, Ohio, when on various dates between January 7th and January 17th, 1947, it failed and refused to permit regular assigned employees to perform overtime on their positions and required other employees to suspend work on their regular positions for the purpose of absorbing overtime and,

That the carrier shall now compensate Employees Geary, Mowerson, Bundy, Kelly and Potter at time and one-half rate for overtime denied them on their positions and,

That the carrier shall compensate Employees Mowerson, Bundy, Kelly and Potter at time and one-half rate at the rate of pay of their own position or the position worked whichever is the greater in accordance with the statement attached hereto and made a part hereof.

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; and

That no hearing thereon has been held, and under date of June 11, 1948, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 30th day of June, 1948.