

Award No. 4597  
Docket No. CL-4592

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Dudley E. Whiting, Referee

**PARTIES TO DISPUTE:**

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

**CHICAGO, INDIANAPOLIS AND LOUISVILLE RAILWAY  
COMPANY**

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

(a) The regular two (2) hour Sunday assignment of "Janitor-Mail-Baggage Handler" at the North Street Passenger Station, Lafayette, Indiana, for the period November 30, 1947 through January 11, 1948, and the regular two (2) hour Sunday and Holiday assignment of the same position for the period January 18, 1948 through May 31, 1948, were violative of the provisions and intent of the current agreement between the parties; and

(b) Claim that Richard W. Wien and Jay Horner shall be paid for eight (8) hours at the rate of time and one-half for all Sunday and Holiday service performed by them within the spread of their regular week day assignment (11 p.m. to 3:00 a.m. and 4:00 a.m. to 8:00 a.m.) beginning November 30, 1947 and ending May 31, 1948.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and the employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934;

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

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

That hearing thereon has been held and concluded. Under date of October 5, 1949, the parties jointly advised the Acting Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: A. I. Tummon  
Acting Secretary

Dated at Chicago, Illinois, this 18th day of October, 1949.