

Award No. 5021
Docket No. CL-5269

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY

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

(a) The regular two (2) hour Sunday and holiday assignment on Position No. 365, Car Distributor, Newton, Kansas, is violative of the provisions and intent of the current Clerks' Agreement; and,

(b) The Carrier violated the rules of the Clerks' Agreement when on December 15, 1945, it assigned or permitted the Chief Dispatcher and/or Assistant Chief Dispatcher to perform certain routine clerical work on Sundays and holidays which is attached to and a part of the position of Car Distributor on week days; and,

(c) W. W. Cochran and/or other occupants of Position No. 365, Car Distributor, Newton, Kansas, shall be paid eight (8) hours at the rate of time and one-half for all Sunday and holiday service performed since December 15, 1945, within the spread of the regular week day assignment of the position.

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 the complainant party; and

That no hearing thereon has been held, and under date of August 25, 1950, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 11th day of September, 1950.