

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE NEW YORK, NEW HAVEN & HARTFORD
RAILROAD COMPANY**

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

(a) The effective Agreement between the parties was violated by the Carrier at Waterbury, Conn., on Nov. 15, 16 and 17th, 1950 and subsequent dates thereafter when they employed individuals outside of the scope and application of the Agreement, and allowed such "outsiders" to perform work covered thereby; and,

(b) That the senior Group 3 employees at Waterbury, Conn., who are affected by this violation, be compensated at the punitive rate for all time worked by these "outsiders" on Nov. 15, 16 and 17th, and subsequent thereto until the condition is corrected;

(c) The employees affected by the violation are entitled to receive payment of claims for the hours involved, to be determined in each instance by a joint check of the seniority roster and Carrier's payroll.

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 carrier and 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 January 26, 1953 the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD.
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 6th day of February, 1953.