

Award No. 7449

Docket No. CL-7962

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) The Carrier violated rules of the current Agreement with the Brotherhood when the rest days of position of General Clerk No. 4, Local Freight Office, Denver, Colorado, were changed from Friday and Saturday to Tuesday and Wednesday and the occupant of this position, Mr. Harry M. Vernon, was paid straight-time rates from Sunday, September 5, 1954 through Monday, September 13, 1954—a total of nine days without an assigned rest day.

(2) That Mr. Harry M. Vernon shall now be compensated at the rate of time and one-half for services performed on Friday, September 10 and Saturday, September 11, 1954.

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 employe involved in this dispute are respectively carrier and employe 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 24, 1956, 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.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

**ATTEST: A. Ivan Tummon
Executive Secretary**

Dated at Chicago, Illinois, this 2nd day of November, 1956.