

Award No. 7451
Docket No. CL-8103

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 rules of the Clerks' Agreement were violated and have continued to be violated when assigned hours of a position titled "Engine Dispatcher" at Helper Yard Office are designated from 3:00 A. M. to 12 o'clock Noon, with meal period specified 8:30 A. M. to 12 Noon, less meal period.

(2) That Mr. M. J. Kloepper, and/or his successors, be paid three (3) hours at time and one-half for all time held on duty after 8:00 A. M., i.e., 8:00 A. M. to 12 Noon, less meal period.

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 employes involved in this dispute are respectively carrier and employes 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.