

Award No. 7494

Docket No. CL-7650

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ILLINOIS CENTRAL RAILROAD COMPANY

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

(a) Carrier violated the Clerks' Agreement when on Saturday, April 5, 1952, and continuing thereafter on the Saturdays of each week until June 7, 1952, it utilized the services of one F. D. Privett, a full time employe of the E. I. Dupont Company at Woodstock, Tennessee, to relieve H. S. Newman, Jr., Yard Clerk Position 504 at Dyersburg, Tennessee, on one of his designated rest days, namely Saturday of each week, on April 5, 12, 19, 26, May 3, 10, 17, 24, 31 and June 7, 1952.

(b) That H. S. Newman, Jr., the regular assigned incumbent of Position 504, be compensated for wage loss sustained for Saturdays, May 17, 24, 31, and June 7, 1952, representing eight hours' pay at punitive rate (pro rata rate of position, \$13.33 per day) for each date named.

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 Employee 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 November 20, 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 5th day of December, 1956.