

Award No. 7746
Docket No. CL-8161

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

GULF, COLORADO AND SANTA FE RAILWAY COMPANY

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

(a) Carrier violated the current Clerks' Agreement at Dallas, Texas, September 13, 20, 21, 22, 23, 27, 28, 29 and 30, 1954, when it failed or refused to permit J. L. Mayo to perform work on overtime basis and instead used junior employees to perform the service; and,

(b) J. L. Mayo shall now be paid at rate of time and one-half at rate of his regular assigned position time as follows:

September 13, 1954, five (5) hours	September 27, 1954, three (3) hours
September 20, 1954, two (2) hours	September 28, 1954, three hours, thirty min. (3'30")
September 21, 1954, two hours, 30 min. (2'30")	September 29, 1954, three hours, thirty min. (3'30")
September 22, 1954, five (5) hours	September 30, 1954, one hour, forty-five min. (1'45")
September 23, 1954, two (2) hours	

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 the Employees involved in this dispute are respectively carrier and employees 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 complainant party; and

That hearing thereon has been held and concluded. Under date of January 10, 1957, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of 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 25th day of February, 1957.