

**Award No. 9715**  
**Docket No. CL-11342**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**THE PENNSYLVANIA RAILROAD COMPANY**

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

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly the Scope Rule and Rules 3-B-1 and 4-A-1 (i), when it assigned the Saturday and Sunday rest day duties of a Group 2 janitor position to a Group 1 Relief Position at Cincinnati, Ohio, Buckeye Region.

(b) The Claimant, Charles Parker, Jr., should be allowed a three hour call, as a penalty, for Saturday and Sunday, November 10 and 11, 1956, and all subsequent Saturdays and Sundays until the violation is corrected. (Docket 314.)

**FINDINGS:** The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the 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 was waived by the parties and under date of October 4, 1960, 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: S. H. Schulty**  
**Executive Secretary**

**Dated at Chicago, Illinois, this 15th day of December, 1960.**