

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY

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

(1) The Clerks' Agreement was violated by the Carrier on October 29, 1955, at Nashville, Tenn., when it arbitrarily established seven (7) day operation of the local freight office and warehouse by changing the assigned off days from Saturday and Sunday to days other than Saturday and Sunday of the following employees:

F. D. Watrous, Jr.	Clifton Hancock	C. W. Walker
P. B. Timmons	W. T. Shelton	Ed. Gordon
A. R. Ray	Hartsell Sims	J. C. Miller
T. F. Woods	L. R. Smith	L. A. Wilson
T. M. McGlothlin	Thos. J. Dawson	H. Claybrooks
B. A. Boone	T. L. Drew	R. E. Kirkpatrick
M. B. Paul	W. J. Fisher	W. T. Goodall
D. E. Brown	Monroe T. Doyle	Frank Bailey
R. L. Payne	Norman D. Hoggatt	B. E. Johnson
H. F. Grammer	D. T. Collier	John Smith
R. T. McLaughlin	B. Floyd	S. M. Tisdale
E. E. Mulloy, Jr.	J. W. Dickerson	S. Powell
W. N. Chastain	J. E. Abston	E. B. Norris
M. L. Porter	E. Strong	J. B. Wilson
L. B. Sawyers	I. L. Hockett	William Ware
O. H. Hill	Z. Kage	Luther Perry
C. M. Proctor	C. Sloss	Burnis Woods
J. C. Inman	Fate Rice	W. L. Marsh
Joe Nichols	G. C. Hart	J. W. Stewart
S. P. Gray	J. C. Coffey	H. N. Abernathy
W. H. Stockdale	R. F. Estleman	Paul T. Terrell

(2) That the employees listed in item (1) of claim and/or their successors, if any, be compensated the difference between the straight time allowed and the time and one half rate for all work on Saturday and Sunday, October 29, and 30, 1955, and all subsequent Saturdays and Sundays until adjusted.

(3) That each employe assigned on or after October 29, 1955, to a position with off days other than Saturday and Sunday be compensated at pro-rata rate for each off day occurring Monday through Friday so long as the violation exists.

(4) If the change in off days caused any employe to suffer a wage loss for a holiday, that he be compensated for such time beginning with Thanksgiving, November 24, 1955, and until the agreement is applied properly.

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 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 December 6, 1960, 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: S. H. Schulty
Executive Secretary

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