

Award No. 4587

Docket No. CL-4805

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

**CHICAGO, INDIANAPOLIS AND LOUISVILLE
RAILWAY COMPANY**

STATEMENT OF CLAIM: (1) Claim of the System Committee of the Brotherhood that the Carrier violated and continues to violate its agreement with the Brotherhood at the Bedford, Indiana, passenger station, when, beginning Sunday, February 15, 1948 and continuing each Sunday and Holiday (such holidays specified in Rule 48) subsequent thereto, it assigned Clerk John H. Tirey, regularly assigned occupant of the position titled "Interchange Clerk" with hours 11 A.M. to 3 P.M. and 4 P.M. to 8 P.M. (changed March 7, 1949, to 10:30 A.M. to 2:30 P.M. and 3:30 P.M. to 7:30 P.M.), Monday thru Saturday, to work each Sunday and Holiday on a call basis during the hours 6 P.M. to 8 P.M. (changed Sunday, March 7, 1949, to 5:30 P.M. to 7:30 P.M.) and

(2) that John H. Tirey shall be paid for eight (8) hours at the rate of time and one-half for all Sunday and Holiday service performed by him within the spread of his regular week day assignment, beginning Sunday, February 15, 1948 and continuing for each Sunday and Holiday subsequent thereto.

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 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, but not concluded. Under date of September 30, 1949, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

A W A R D

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

**ATTEST: A. I. Tummon
Acting Secretary**

Dated at Chicago, Illinois this 17th day of October, 1949.

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