

Award No. 5143
Docket No. CL-5346

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE OGDEN UNION RAILWAY AND DEPOT COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the Ogden Union Railway and Depot Company and/or its officers violated the terms of the existing agreement:

- (a) By failing or refusing to compensate Mr. F. H. Swauger at the proper overtime rate for November 17, 18, 19, 20 and 24, 1948; and
- (b) The company shall now compensate Mr. F. H. Swauger for 8 hours on November 17th and 18th at punitive manifest clerk rate, for 8 hours on November 19th and 20th at punitive yard clerk rate and for 8 hours on November 24th at punitive chief crew dispatcher rate, less store helper rate of \$9.20 on each date named.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That no hearing thereon has been held, and under date of November 30, 1950, 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.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 13th day of December, 1950.