

Award No. 5373

Docket No. CL-5582

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES
DULUTH, MISSABE & IRON RANGE RAILWAY 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 Carrier violated the Clerks' Agreement.

(1) When effective September 1, 1949, by unilateral action it increased the number of hours constituting a day's work from seven and one-half (7½) hours per day to eight (8) hours per day for all employees covered by the scope of the Clerks' Agreement in Seniority District Number 1, General Offices, Wolvin Building, Duluth, Minnesota, and that:

(2) All employees affected by such violation be compensated for thirty (30) minutes at overtime rate of pay for each and every day required to work in excess of seven and one-half (7½) hours, retroactive to September 1, 1949, and continuing until such time as the violation is corrected.

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 May 2, 1951, 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 20th day of June, 1951.