

Award No. 7125

Docket No. CL-7440

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

FRUIT GROWERS EXPRESS COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees (hereinafter referred to as the Brotherhood) that the Fruit Growers Express Company (hereinafter referred to as the Express Company) violated the Clerks' Agreement:

1. When, the Express Company required Group 2 Laborers D. S. Arnett, R. B. Crawford, J. T. English, and D. E. King, employees assigned to work at the Roanoke, Va. Station, to report for work at irregular starting times and then released them before they had performed eight (8) hours' work, paying them less than the minimum requirement of eight (8) hours' pay for their services.

2. That Group 2 Laborers D. S. Arnett, R. B. Crawford, J. T. English, and D. E. King, and all other Group 2 employees adversely affected be reimbursed by the Express Company for the difference between the amounts received and the amounts due them under the provisions of the Clerks' Agreement for the period June 13 to and including June 15, 1954, and each day subsequent thereto until the situation complained of is corrected.

3. That the dates and the names of all other affected employees be determined from the payroll of the Company by a joint check of the parties.

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 August 15, 1955, the complainant party addressed a formal communication to the 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 23rd day of September, 1955.