

Award No. 7524

Docket No. CL-8260

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) That Carrier violated the Clerks' current Agreement when it allowed the Telegrapher at North Little Rock, Arkansas, to work overtime outside his assigned hours in performing work belonging to Yard Clerk position.

(2) That Mr. R. R. Pinckard be paid at penalty rate for ten (10) hours at Yard Clerk's rate of pay for work performed by Telegrapher on the following dates:

January 15, 1954—2 hours 45 minutes—Operator held on duty to check outbound train and wheeling cars.

January 22, 1954—2 hours—Operator held on duty from 12:30 A.M. to 2:00 A.M. to wheel cars, check outbound train and obtaining seal records.

January 28, 1954—3 hours 15 minutes—Operator held on duty from 12.30 A.M., to 3:45 A.M., wheeling cars, checking outbound trains and obtaining seal records.

January 29, 1954—2 hours—Operator held duty to wheel cars, checking outbound trains and obtaining seal records.

and subsequent dates—Reparation due employees to be determined by joint check of Carrier's payroll and other records.

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 carrier and employees involved in this dispute are respectively carrier and employees 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 November 7, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of December, 1956.