

Award No. 7538

Docket No. CL-8445

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) That Carrier violated the Clerks' current Agreement at North Little Rock, Arkansas, on February 23, 1953, when it gave Mr. Massey a call for work and only allowed him two hours at time and one-half rate, and also on July 4, 1953, when it gave Mr. Bethea a call for work and only allowed him two hours at time and one-half rate.

(2) That Mr. W. W. Massey be paid for a minimum day of eight hours at time and one-half rate for the work he performed on February 23, 1953, from 8:30 P. M., to 10:30 P. M.

(3) That Mr. F. H. Bethea be paid for a minimum day of eight hours at time and one-half rate for the work he performed on July 4, 1953, from 11:00 P. M., to 1:00 A. M.

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 employe involved in this dispute are respectively carrier and employe 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.