

**Award No. 7903**

**Docket No. CL-9216**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**THE BALTIMORE AND OHIO RAILROAD COMPANY**

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

(1) Carrier violated the Clerks' Agreement when it refused and continues to refuse to assign the work attached to and performed by Baggage and Mail Porter at Harpers Ferry, W. Va., on Monday through Friday, to employes covered by the Agreement on Saturdays. The Saturday work is assigned to an independent contractor who is not covered by the Clerks' Agreement, and

(2) That Baggage and Mail Porter L. R. Sampson and/or his successor or successors in interest if any, shall be paid for eight hours at overtime rate (\$12.54 per day plus increases) on July 23 and 30, August 6, 13, 20 and 27, September 3, 10 and 17, 1955, and subsequent dates until violation is corrected.

**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 the carrier and the employes involved in this dispute are respectively carrier and employes 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 complainant party; and

That hearing thereon has been held and concluded. Under date of March 12, 1957, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of 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 15th day of May, 1957.