

Award No. 7904
Docket No. CL-9419

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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 Agreement when it permitted and required a Baggage Checkman, a Group 2 employe, to sell tickets between 4:30 A. M. and 5:00 A. M. at the Connellsville, Pa., passenger station, and

(2) That Ticket Clerk H. S. Mitts, and/or his successor or successors in interest, if any, shall be paid a minimum call of two hours at overtime rate (\$14.79 per day plus increase) beginning with November 25, 1955, and terminating with the date this Group 1 work is properly identified with and performed by a Ticket Clerk, a Group 1 employe.

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 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.