

**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**

**SEABOARD AIR LINE RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the System Committee of the Brotherhood that the Carrier violated the Rules of the Clerks' Agreement at:

**(1) Richmond (Hermitage) Virginia, Diesel Shop**

(a) On Thursday, November 25, 1954, (Thanksgiving), Saturday, December 25, 1954 (Christmas) and Saturday, January 1, 1955 (New Year) it required the Diesel Clerks at Hermitage Diesel Shop to suspend work during regular hours to perform work assigned to and regularly performed by Clerks at Hermitage Storehouse, thereby absorbing overtime accruing to the Storehouse Clerks.

(b) That, as a penalty for the Agreement violation, the following Diesel Clerks be paid eight (8) hours at the punitive rate of their respective positions, in addition to amounts previously received, for each of the days shown.

J. C. Bottous	November 25, 1954 (Thanksgiving)
Clinton Capps	November 25, 1954 (Thanksgiving)
	December 25, 1954 (Christmas)
	January 1, 1955 (New Year)
H. B. Caplos	December 25, 1954 (Christmas)
	January 1, 1955 (New Year)

**(2) Hamlet, North Carolina, Diesel Shop**

(a) On Monday May 30, 1955 (Memorial Day) it required the Diesel Clerk at Hamlet Diesel Shop to suspend work during his regular hours to perform work assigned to and performed by the Counterman at Hamlet Store No. 1, thereby absorbing overtime accruing to the Counterman's position.

(b) That, as a penalty for the Agreement violation, Clerk Jack Parks be paid eight (8) hours at the punitive rate of his position for May 30, 1955.

**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 December 4, 1959, 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: S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 11th day of January, 1960.