

Award No. 9563

Docket No. CL-11842

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE LAKE SUPERIOR TERMINAL & TRANSFER RAILWAY
COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamships Clerk, Freight Handlers, Express and Station Employees that the Carrier violated the agreement:

1. When they required rest day service of calling switch and engine crews on five (5) day positions to be performed by employees on seven (7) day positions other than as prescribed for in the agreement, and

2. That by reason thereof the Carrier be required to compensate R. Norberg, Yard Clerk, assigned hours 11:00 P. M. to 7:00 A. M., one (1) day's pay for each Saturday and Sunday of each work week retroactive to Saturday, January 3 and Sunday, January 4, 1959, at the rate of time and one-half and for as long as this violation continues.

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 September 9, 1960, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 16th day of September, 1960.