

Award No. 1746
Docket No. CL-1637

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

LEHIGH VALLEY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of employees—That the establishment of the position as Asst. Agent at Elmira, N. Y. Station and the assignment of the clerical work to Telegrapher VanDuzer, who holds no seniority in the Auburn Seniority District (Clerical Group) is in violation of the Clerks' Agreement. That this is the position of Chief Clerk abolished in March, 1936 and should be bulletined to clerks of the Auburn District and that clerical employees in this district be reimbursed for wage loss sustained retroactive to November 1, 1940 as a result of the Carrier's violation thereof.

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 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; and

That hearing thereon has been held and concluded. Under date of March 10, 1942, the employees and the carrier jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 17th day of March, 1942.