

Award No. 1750
Docket No. CL-1646

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE ERIE RAILROAD COMPANY

(Robert E. Woodruff and John A. Hadden, Trustees)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the carrier violated the Clerks' Agreement and continues to violate such agreement, when effective July 20, 1939, it abolished clerical position, rate \$4.80 per day, at Callicoon, N. Y. and assigned all of the work of the position to the Telegraphers, none of whom are covered by the scope and application of the Clerks' Agreement, and

That carrier shall now be required to re-establish, bulletin and assign said position to the senior qualified applicant covered by the Clerks' Agreement and to reimburse such senior qualified applicant and other employees affected for any and all wage losses sustained.

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.