

Award No. 1751

Docket No. CL-1647

**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 Carrier violated the Clerks' Agreement and continues to violate such agreement when effective December 18, 1937, it abolished the Night Clerk's position, rate \$106.20 a month at Callicoon, N. Y. and assigned substantially all of the work of the position abolished to the Agent and Operator-Clerk and a Mail Contract employe, 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 employes affected for any and all wage loss suffered.

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 employes involved in this dispute are respectively carrier and employes 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 employes 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.