

Award No. 1800
Docket No. CL-1929

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

MIDLAND VALLEY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

- (1) Carrier violated and continues to violate the Clerks' Agreement, and particularly Rule 50 thereof, in allegedly abolishing the position of Chief Yard Clerk and Desk Clerk, Muskogee Yard Office, Muskogee, Oklahoma, effective August 1, 1930, and assigning the duties of the position to employes not covered by the Clerk's Agreement, thereby, removing from the scope and application of the Clerks' Agreement work covered thereby, and
- (2) That such work shall be restored to employes holding seniority rights under the Clerks' Agreement, and properly classified, rated, bulletined and assigned in accordance with the rules of Clerks' Agreement, and
- (3) That Chief Yard Clerk Bynum and other employes affected by this alleged violation, be compensated in full for all wage losses sustained thereby.

FINDINGS: The Third Division of the Adjustment Board finds that:

This dispute was certified to the Third Division of the Adjustment Board *ex parte* by complainant party; and

That no hearing thereon has been held and under date of May 7, 1942, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

**ATTEST: H. A. Johnson
Secretary**

Dated at Chicago, Illinois, this 14th day of May, 1942.