

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE DELAWARE AND HUDSON RAILROAD CORPORATION

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood Carrier violated Rules 43 (a) and 44 of current Clerks' Agreement when on October 13, 1942 a new position designated as "Clerk—Troy Freight Station" was established to take over work of existing positions at a rate of pay not in conformity with existing rates, and that the Carrier has further violated said Agreement when on and since February 14, 1944 the assigned hours of service of the new position were changed for the purpose of reducing the rate of pay for that type of work, and that

(a) The position shall now be rated in accordance with agreed upon rates, and

(b) All occupants of said position, subsequent to its establishment, shall now be paid the difference between what they have been paid and the correct rate of the position, and

(c) The privilege of Saturday afternoon release shall now be restored to the occupant of the new position.

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 employe involved in this dispute are respectively carrier and employe 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;

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

That hearing thereon has been held and concluded. Under dates of December 18, 1946, and January 2, 1947, the respective parties 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

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 7th day of January, 1947.