

Award No. 3678
Docket No. CL-3742

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DELAWARE AND HUDSON RAILROAD
CORPORATION**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that Carrier violates current Clerks' Agreement by assigning the duties of a Crew Dispatcher to three (3) Clerks in the Round House Foreman's Office at Binghamton, New York and declining to pay said Clerks the prevailing rate of a Crew Dispatcher, and that

(a) The basic rate of pay for the three (3) positions designated as Clerk—Round House Foreman's Office at Binghamton, New York be increased to the agreed upon basic rate for Crew Dispatchers, and that

(b) All occupants of the three (3) positions in question shall now be allowed the difference between what they have been paid and what they would have received had they been paid at the agreed upon Crew Dispatcher Rate for all service on and since March 27, 1945.

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

That hearing thereon has been held but not concluded. Under date of October 4, 1947, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, 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 15th day of October, 1947.