

Award No. 4217
Docket No. CL-4329

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE NEW YORK, CHICAGO & ST. LOUIS RAILROAD
COMPANY**

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

(a) Carrier violated Clerks' Agreement when on January 3, 1948 it abolished the position of Clerk, rate \$8.85 per day, at Findlay, Ohio, and removed the duties of said position out from under the scope and operation of the Clerks' Agreement by assigning same to employees not covered by Clerks' Agreement.

(b) That the position of Clerk, rate \$8.85 per day, shall be restored and that Mrs. Elizabeth Evans and other employees affected by the illegal abolishment of same, be reimbursed for all wage losses retroactive to January 3, 1948.

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 employee involved in this dispute are respectively carrier and employee 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 the complainant party; and

That hearing thereon has been held but not concluded. Under date of November 22, 1948, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 3rd day of December, 1948.