

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**
THE CHESAPEAKE AND OHIO RAILWAY COMPANY
(CHESAPEAKE DISTRICT)

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

(a) The Carrier has violated and continues to violate the Clerks' Agreement by failing and refusing to establish the necessary clerical positions in the Mechanical Department at Huntington, W. Va., and in assigning clerical work to employees not covered by the Clerks' Agreement, and,

(b) That the necessary clerical positions in the said department be established, classified, rated, bulletined, and assigned in accordance with the rules of the Clerks' Agreement, and that all employees affected be reimbursed for all wage loss sustained as a result of the actions of the Carrier.

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;

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 date of January 19, 1951, the respective parties jointly advised the Acting Secretary of the Third Division of their desire to withdraw the dispute 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 31st day of January, 1951.