

Award No. 5691
Docket No. CL-5664

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

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

(a) The Carrier violated the rules of the Clerks' Agreement at Elizabeth, N. J., when it abolished a full eight-hour Ticket Clerk's position, hours 9:00 A.M. to 6:00 P.M. and assigned the duties, thereof, to an employee not covered by the rules of the Clerk's agreement, and

(b) The Carrier shall be required to restore such position under the scope and application of the Clerks' Agreement and compensate Walter McCaffrey, and all other Employees affected by such violation, retroactive to January 22, 1951.

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; and

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

That hearing was held and concluded. Under date of March 20, 1952, the parties jointly 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.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 26th day of March, 1952.