

Award No. 5817

Docket No. CL-6189

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

SEABOARD AIR LINE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that the Carrier violated and continued to violate the Rules and provisions of the Clerks' Agreement at Columbia-Cayce, South Carolina, when on September 3, 1949, and subsequent thereto it used a person who held no seniority rights thereunder, to relieve regular employees who are covered by the said Agreement thereby removing work from the Scope thereof.

That Clerks R. W. Norris and R. M. White be compensated at the time and one-half rate of their positions, plus subsequent general wage increases, for each day subsequent to September 1, 1949, they were available to work and on which days a person having no seniority rights was employed to work the rest days assigned to their positions.

That all other employees adversely affected by being similarly relieved be compensated at the time and one-half rate of their positions, plus subsequent general wage increases, for September 1, 1949, and subsequent thereto until the violation is corrected.

That such violations be determined from the Carrier's records.

FINDINGS: The Third Division of the Adjustment Board finds:

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

That no hearing thereon has been held, and under date of June 6, 1952, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Acting Secretary