

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

GREAT NORTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees:

(1) That Carrier violated rules of current Agreement effective December 1, 1944 by failure to bulletin vacancy in position of Assistant Agent, Everett, Washington, caused by the death of the incumbent, Arthur A. Wiester, on January 9, 1950, to concerned employees that they may express their desire to file their application therefor in accordance with the rules of aforesaid Agreement that governs the hours of service and working conditions of the involved employees.

(2) (a) That Carrier, by an appropriate Order and Award from your Board, be required to bulletin the vacancy of Assistant Agent at Everett to the concerned employees and make assignment of an employee to fill the vacancy in conformity with rules of the Agreement, and

(b) Compensate all employees involved that may have suffered wage losses retroactive to date that assignment should have been made had Carrier properly applied rules of the Agreement.

(NOTE: The reparations due individual employees are not ascertainable until Carrier bulletins the vacancy and makes assignments as they should have been done when the vacancy occurred on January 9, 1950.)

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 and concluded. Under date of February 9, 1953 the parties jointly advised the Secretary of the Third Division of their desire to withdraw 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 26th day of February, 1953.