

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**ST. LOUIS SOUTHWESTERN RAILWAY COMPANY
ST. LOUIS SOUTHWESTERN RAILWAY COMPANY OF TEXAS**

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

(1) Carrier violated rules of the Clerks' Agreement on certain Saturdays of the week that is the designated rest day of the occupant of the position of Assistant Claim Clerk at Dallas, Texas, Freight Station, by utilizing the services of employes not within the Scope Rule of our Agreement with the carrier, and in other instances, the services of clerical workers whose assignments do not embrace the work normally attached by bulletin assignment to the claimant's position.

(2) That the occupant of the position of Assistant Claim Clerk (W. M. Nicholson and others*), on the specific Saturdays of the week on which instances occurred as stated in Section 1 hereof, beginning Saturday, October 8, 1949 and continuing until the violation is corrected, be compensated for wage loss sustained on the minimum basis of a call—two hours pay at time and one-half rate.

*Note:—The reparation due individual employes to be determined by joint check of Carrier's records by management and employe's representatives.

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 employe involved in this dispute are respectively carrier and employe 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 December 16, 1953, the complainant party addressed a formal communication to

the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, concurred in by the carrier in letter dated December 9, 1953, and 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 8th day of January, 1954.