

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) The Carrier violated terms of the current Agreement, and continues to violate said Agreement, when it requires or permits contract draymen (employees of Rio Grande Motor Way) and other individuals holding no rights under our contract, to perform work coming under same at the freight warehouse, Pueblo, Colorado, i.e., checking, receiving, trucking, sorting and delivering freight.

(2) That the senior qualified Group 1 employe, if any, be paid one day's pay at checker's rate for each day, commencing July 5, 1955, until violation is corrected.

(3) On any day or days that an employe is not available under Item (2) above, then a regularly assigned Group 1 employe shall be paid three (3) hours at punitive rate for such violation.

(4) That the senior qualified Group 2-3 employe, if any, be paid one day's pay at stowman's rate for each day, commencing July 5, 1955, until violation is corrected.

(5) On any day or days that an employe is not available, under Item (4) above, then regularly assigned Group 2-3 employe shall be paid three (3) hours at punitive rate for said violation.

NOTE: The individuals entitled to receive payment in each instance to be determined by joint check of the seniority roster and payrolls.

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 October 24, 1956, the complainant party addressed a formal communication to the Secre-

tary 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 2nd day of November, 1956.