

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ILLINOIS CENTRAL RAILROAD COMPANY

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

(a) Carrier violated Rules of the Clerks' Agreement when on August 11, 1954, it unilaterally assigned clerical work theretofore attached to clerical positions to be performed by employes of Carrier occupying positions that are not included within the Scope Rule of its Agreement with the Brotherhood, revised of February 1, 1954, at Dyersburg, Tennessee.

(b) A. L. Harpp, the regular assignee to Position No. 508, Accountant, that was abolished effective August 11, 1954, and all other employes adversely affected as a result of assigning the work normally attached thereto by Agreement to outsiders, be compensated for wage loss sustained retroactive to August 11, 1954, and forward to date the Rules violation is corrected.

(c) M. L. Cagle, Rate Clerk Job No. 501, and his successors if there be any, be compensated for wage loss sustained retroactive to August 11, 1954, and continuing thereafter until the Rules violation is corrected, account deprived of work opportunities on his position as Rate Clerk on his designated rest days—Saturday and Sunday of each week—as a result of Carrier abolishing Relief Clerk's assignment that requires him to relieve Cagle on his rest days of each week effective August 11, 1954, and thereafter assigning work normally attached to Cagle's job to be performed by outsiders.

(d) H. S. Newman, regular assigned Relief Clerk affording relief on Position No. 501, Rate Clerk, Friday and Saturday; on Position No. 508, Accountant, Monday and Tuesday; and on Position 504, Yard Clerk, be reimbursed for wage loss sustained retroactive to August 11, 1954, and continuing until the Rules violation is corrected, account Carrier unilaterally abolishing his relief position and assigning the work normally attached to Position No. 501, Rate Clerk, and Position No. 508, Accountant, on their rest days to be performed by outsiders.

NOTE: Reparation to be determined by joint check of Carrier's payroll and other records.

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 Employees involved in this dispute are respectively carrier and employees 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 November 20, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of December, 1956.