

Award No. 7509

Docket No. CL-8099

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 the Clerks' Agreement at the District Stores Department, Centralia, Illinois, when on July 1, 1954, it denied Stockman R. W. Schnaare the right to displace a junior employee.

(b) R. W. Schnaare be compensated for wage loss sustained representing the difference between stockman's rate and rate of locomotive crane operator (\$2.32 per day) retroactive to July 1, 1954, and continuing thereafter until the Rules violation is corrected, account deprived of work opportunities on Locomotive Crane Operator position.

(c) R. W. Schnaare be assigned to the position of Locomotive Crane Operator in accordance with his seniority rights.

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 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 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.