

Award No. 7529

Docket No. CL-8265

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

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

(1) That Carrier violated the working Agreement between this Organization and St. Louis Southwestern Railway Lines in abolishing the 7:00 A. M., to 4:00 P. M., Yard Clerk position at North Little Rock, Arkansas, in 1933 and assigning the work to employes who were not covered by the Agreement, nor holding seniority rights to the work.

(2) That a Second Trick Yard Clerk position, North Little Rock, Arkansas, be established, advertised and assigned under the rules of our Agreement.

(3) That the senior extra or unassigned employe holding seniority rights on the Station and Yard, Northern Division, Clerks' Seniority Roster, be allowed a day's pay at the prevalent rate of pay of other Yard Clerk positions at North Little Rock for each and every day they were, and are being, denied this work and the work performed by persons not covered by the Clerks' Agreement retroactive to date this claim was initially filed with Carrier, August 12, 1953, and continuing until corrected. Reparation due employes 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 carrier and employes involved in this dispute are respectively carrier and employes 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 7, 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.