

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) That Carrier violated the Clerks' current Agreement when, on April 15, 1952, it abolished the position of Freight Claim Adjuster, Office of General Freight Claim Agent, Tyler, Texas, occupied by J. F. McDonough, and distributed the work among other positions, one official position, other Freight Claim Adjuster positions and one position with lesser pay than that of Freight Claim Adjuster.

(2) That Mr. J. F. McDonough be reimbursed for the difference between the salary paid him after April 15, 1952, and the salary he would have been paid had the position not been improperly abolished April 15, 1952, until the violation is corrected.

(3) That the position of Freight Claim Adjuster be re-established and the road work now being performed by the Assistant General Freight Claim Agent, formerly performed by the Freight Claim Adjusters, and the office work now being done by lower daily rated employees be returned thereto.

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 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 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.