

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees on the Missouri Pacific Railroad, that the Carrier violated the Clerks' Agreement:

1. When, effective on January 30, 1955 and thereafter, it assigned the clerical work consisting of —

- (a) Making a check of freight trains departing from Concordia, Kansas;
- (b) Compiling outbound switch lists;
- (c) Writing up (compiling) wheel reports,

to Agent-Telegrapher or Telegrapher, who are another class of employees and are outside the Clerks' Agreement and who hold no seniority rights thereunder entitling them to said work;

2. Clerk A. M. Cherington be allowed pay for time claimed on the claim dates during January, February and March, 1955, as set forth in Claim Statement, attached hereto and made a part hereof, which claims are continuing each day that violation of Agreement occurs subsequent to March 31, 1955, until the dispute is disposed of and the claims satisfied.

CLAIM STATEMENT

(Not copied)

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 the 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 complainant party; and

That hearing thereon has been held and concluded. Under date of November 16, 1956, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of 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 12th day of December, 1956.