

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

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 Employes on the Missouri Pacific Railroad, that the Carrier violated the Clerks' Agreement:

1. When, on Sunday, February 27, and Sunday, March 6, 1955 and on all subsequent dates as shown in the Employes' "Claim Statement" attached hereto and made a part hereof, the Carrier arbitrarily and without conference, negotiation or agreement, removed the work of calling crews at Nevada, Missouri, for train operating out of Fort Scott, Kansas (a distance of approximately 20 miles from Nevada) which work Clerks at Nevada Yard had performed regularly and continuously for a period of many years (said to be 10 years or more) out from under the scope and operation of the Clerks' Agreement and utilized employes of another class and craft, subject to another or other wage and rules Agreements, to perform the work, in contradiction to and in violation of Scope Rule 1, Classification Rule 2, Seniority and related rules of the Clerks' Agreement;

2. The Carrier shall be directed by appropriate Order of the National Railroad Adjustment Board to restore the calling work here involved to the employes subject to the Clerks' Agreement at Nevada, Missouri, and allow the monetary claims as shown in our "Claim Statement" referred to in "1" hereof, which claims are to continue until the dispute is disposed of and the claims satisfied, account Carrier's action in violation of the Agreement.

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 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 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.