

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, following the assignment of Miss Adele Fehringer to Position No. 81, Timekeeper-Clerk, in the Auditor Disbursements—Stores Accounting Department, per Assignment Notice No. 110 dated June 9, 1955, which assignment grew out of Bulletin No. 110 dated June 2, 1955, the Auditor Disbursements, Mr. A. A. Griesbauer, failed and refused and continued to refuse to transfer Miss Fehringer to the Timekeeper-Clerk position, which she had obtained by assignment, virtue of her seniority rights, in violation of Rule 8, Section (c) and related rules of the Clerks' Agreement;

2. That the Carrier shall, by appropriate order of the Third Division of the National Railroad Adjustment Board, be directed to transfer Miss Fehringer to the position which she bid for and was assigned to, but was denied the right to go upon and instead was held on the position which she had formerly occupied, and that Miss Adele Fehringer be compensated \$3.60 per day additionally, beginning five days after issuance of Assignment Notice dated June 9, 1955, or on Wednesday, June 15, 1955, pursuant to the provisions of Rule 10, Section (b), such claims to continue each work day until the dispute is disposed of.

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.