

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

1. When on December 9, 1954 and subsequent dates, less Saturdays, Sundays and holidays, the Carrier removed the clerical work of checking the interchange tracks at Monticello, Arkansas, out from under the scope and operation of the Clerks' Agreement and required an employe of another class of service to perform the clerical work here involved, in violation of Scope Rule 1, Classification Rule 2, Seniority Rule 3 and related rules of the Clerks' Agreement;

2. Claimant Clerk J. E. Trimm shall be compensated by the Carrier for a "call" each work day at the rate of \$2.77 per hour, amount \$138.50, for claims December 9, 1954 to February 4, 1955 inclusive, such claims to continue for each day that the Agreement is violated, until the dispute is disposed of and the claims satisfied.

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 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.