

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

LEHIGH AND NEW ENGLAND RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that the Carrier violated the rules of the Clerical Agreement:

1. When on July 7, 1954, a notice was posted, stating position of Yard Clerk (incumbent Edward Houser) would be abolished effective with the tour of duty ending 5:45 P. M., E.S.T. on July 15, 1954, without conference or necessary negotiations under the provisions of agreed upon rules.

2. That Edward Houser, incumbent of position of Yard Clerk, prior to July 16, 1954 and all other displaced employes, namely: George J. Kelly, Kenneth Gilbert, be compensated for all wage loss due to the improper actions of the Carrier from July 16, 1954 and continuing until the date of the restoration of the position of Yard Clerk, November 18, 1954.

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 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 the complainant party; and

That hearing thereon has been held and concluded. Under date of December 19, 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 18th day of January, 1957.