

Award No. 7682

Docket No. CL-8836

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**UNION PACIFIC RAILROAD COMPANY
(South-Central District)**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that:

(a) The Carrier violated the Clerks' Agreement when on January 16, 1956 it permitted B. F. Willmore to displace L. E. Ranck from position of Traveling Engineer Accountant, compelling Ranck to displace J. L. Bergman, and Bergman to displace L. H. Shulsen.

(b) L. E. Ranck be paid difference in rate of \$475.00 and \$431.04 per month; Bergman difference in \$431.04 and \$395.08; L. H. Shulsen difference in \$395.08 and \$364.25, and other clerks affected. Claims to run from January 16, 1956, until such time as B. F. Willmore required to return to seniority district No. 80, where he was promoted from, and Ranck, Bergman, and Shulsen, and other clerks affected returned to former positions.

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 but not concluded. Under date of January 25, 1957, the Petitioner 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 15th day of February, 1957.