

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY (Eastern Lines)**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(a) Carrier violated the scope and operation rules of the Clerks' Agreement beginning May 1, 1954, when it abolished Position No. 190, Store Foreman in charge of North Wichita Store and assigned the remaining work thereof to parties not covered by the Agreement; and,

(b) Former occupant of Position No. 190, Store Foreman North Wichita, Mr. V. H. Converse, shall be paid the difference between the Store Foreman's rate prevailing and rate of any position of lesser rate which he was forced to occupy in displacement after May 1, 1954; and,

(c) All other employes involved in or affected by said rules violation and displacement shall be compensated for such monetary losses resulting from Carrier's action of May 1, 1954, until violation is corrected.

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 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 January 10, 1957, 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 25th day of February, 1957.