

Award No. 7742
Docket No. CL-8126

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 rules of the Clerks' Agreement at Nemo, Illinois, when on February 5, 1954, it abolished Clerk Position 1640 and assigned the work from this position to employees not covered by the Clerks' Agreement; and,

(b) Clerk Position 1640 shall now be reinstated and the work returned to the scope of the Clerks' Agreement; and,

(c) Carrier shall now pay nine (9) hours per day, based upon three (3) calls at three (3) hours for each call, seven (7) days per week from February 5, 1954 until violation is corrected to H. G. Pettett; and,

(d)* The clerks that were displaced because of this violation and who may have suffered reduction in pay shall be reimbursed for such losses; and,

(e)* The clerks that are required to be away from their home terminal as result of this violation shall be reimbursed for all travel and away-from-home expenses.

* NOTE: To be determined by joint check of payrolls and other Carrier records.

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 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.