

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE BALTIMORE AND OHIO RAILROAD COMPANY

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

(1) Carrier violated and continues to violate Rules 1, 4(b-2), and other Rules of the Clerks' Agreement when it permitted the Trainmaster to assist the Chief Clerk on Mondays in the performance of certain work assigned to the Chief Clerk, and permitted the Chief Clerk on Mondays to perform other work which on other days of the week is assigned to the Yard Clerk, and

(2) That S. J. Cutlip, holding position 68-1-561, Yard Clerk, Cowen, W. Va., be paid for one day on each date, March 23, 30, April 20, 27, May 4, 11, 18, 25, June 1, 8, 15, 22, 29, July 6, 13, August 3, 10, 17, 24, September 14, 21, October 5, 26, November 2, 9, 16, 23, 30, December 7, 14, 21, 1953; and J. H. Morris, holding position 68-1-569, Yard Clerk, Cowen, W. Va., be paid for one day on each date August 31 and September 28, 1953; as well as similar claims on subsequent dates for each Claimant.

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 but not concluded. Under date of March 12, 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 15th day of May, 1957.