

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE CHESAPEAKE AND OHIO RAILWAY COMPANY

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

(a) That the Carrier violated terms of Clerks' Agreement when on or about July 8, 1952, the Carrier contracted with Gustov-Hirsch Organization, Inc., of Columbus, Ohio, to repair and install certain electrical equipment in the C & O Office Building at Huntington, West Virginia, granting the employees of Gustov-Hirsch Organization, Inc., or others employed in repairing and installing the said electrical equipment the privilege of operating the elevators in the C & O Office Building during the period on or about July 8, 1952, to April 15, 1953, when it was known that the duties of operating elevators in the C & O Office Building at Huntington, W. Va., had been and are now assigned to employees of The Chesapeake and Ohio Railway Company and covered by Agreement between the Railway Company and the Brotherhood; and

(b) That Miss Betty Withrow, Position B-1, Elevator Operator, C & O Office Building, Huntington, W. Va., and any other employees of the Railway Company assigned as Elevator Operator, C & O Office Building at Huntington, W. Va., be compensated under the rules of Agreement No. 7 between the Railway Company and the Brotherhood for all time of record the elevators in the C & O Office Building at Huntington, W. Va., were operated by employees of Gustov-Hirsch Organization, Inc., or others employed in the repairing and installing of the electrical equipment in the C & O Office Building.

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 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 the complainant party; and

That hearing thereon has been held and concluded. Under date of May 17, 1957, 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 3rd day of June, 1957.