

**Award No. 8102**  
**Docket No. CL-9775**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**WESTERN FRUIT EXPRESS COMPANY**

**STATEMENT OF CLAIM:** Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the Carrier violated the rules of the current agreement,

1. When the Carrier assigned work normally attached to position of Foreman at Great Falls, Montana, to be performed by R. M. Grant, Agent, occupant of a position not within the scope of our General Rules Agreement, during the vacation period of the regular assignee, J. O. Reeves, July 16 through to 20, July 23 through to 27 and July 30 through to August 3, 1956.

2. That as a penalty Earl L. Johnson, an extra employe who was available and capable of performing the duties normally attached to Foreman Reeves' position be paid wage loss sustained representing fifteen days' pay at the Foreman's rate.

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**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That no hearing thereon has been held, and under date of October 4, 1957, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 11th day of October, 1957.