

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

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

(1) The Carrier violated the terms of the currently effective Agreement when on May 12, 1956 Yard Clerk Position No. 2 at Afton, Oklahoma, was abolished leaving only one Yard Clerk at that point and the yard clerical work previously assigned to yard clerical employees outside the hours of the one remaining yard clerk was removed from the scope of the Clerks' Agreement and assigned to others who hold no seniority or other rights under that Agreement.

(2) That J. W. Cunningham now be allowed one day's pay in addition to what he was paid on each date, May 15 through 19 inclusive, May 22 through May 26 inclusive, June 5 through 9 inclusive, June 12 through 16 inclusive, May 29 and 30, June 1 and 2, June 19 through 23 inclusive, June 26 through 30 inclusive, July 3 through 7 inclusive, July 10 through 14 inclusive, and July 17, 18, and 19, all in 1956, a total of 44 days.

(3) That B. W. Wilks be allowed one day's pay on each date May 13, 14, 20, 21, 27, 28, June 3, 4, 10, 11, 17, 18, 24, 25, July 1, 2, 8, 9, 15, 16, all in 1956, a total of 20 days.

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 the complainant party; and

That hearing thereon has been held but not concluded. Under date of October 25, 1957 the complainant party 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 4th day of November, 1957.