

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ILLINOIS CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that the Carrier violated the terms of the current Agreement when:

1. On or about May 31, 1954, it abolished a janitor's position (No. 18) in the Mechanical Department at Waterloo, Iowa, which position was occupied by Willie Eggson holding seniority on Iowa Division Mechanical Department Seniority Roster No. 4, and concurrently therewith assigned the duties thereof to Carrie Walton, employed as a janitress, holding seniority on Iowa Division Transportation Department Seniority Roster, and
2. That the Carrier shall now be required to restore said janitor's position (No. 18) in the Mechanical Department at Waterloo, Iowa, and concurrently therewith place the former occupant thereof, Willie Eggson, on his former position as janitor in the Mechanical Department, and
3. That the Carrier be required to reimburse Willie Eggson for any and all wage losses sustained by him, retroactive to and inclusive of June 15, 1954, until the abolished janitor's position in question is restored and Mr. Eggson assigned to same, and
4. That Willie Eggson's cumulative rights with respect to his vacation privileges be fully restored, protected and credited to him to the same extent he would have enjoyed such vacation privileges had he been actively and steadily employed as he was prior to May 31, 1954, and
5. That the Carrier be required to pay Carrie Walton a day's pay (in addition to remuneration she has already received) for June 1, 1954, and for all subsequent days she was required to suspend work on her regular assignment and janitress in the Transportation Department and perform work in the Mechanical Department.

NOTE: Proper reparation due to be determined by joint check of Carrier's payrolls, time book records, etc.

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 February 4, 1958, 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 12th day of February, 1958.