

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:

(a) Carrier violated the Rules of the Clerks' Agreement at Mayfield, Kentucky, when on January 15, 1956, it unilaterally assigned work theretofore attaching clerical positions to be performed by an employee of Carrier occupying a position not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) Thomas Weaver be compensated a day's pay at the punitive rate retroactive to January 15, 1956, and forward to November 26, 1956 the date the abolished position was reinstated. (Pro rata rate of position \$14.58 per day)

(c) The Senior Unassigned Clerk be compensated for wage losses sustained representing \$14.58 per day retroactive to January 15, 1956, and forward to November 26, 1956, the date the clerical work was returned to the clerical employees.

NOTE: Reparation to be determined by joint check of Carrier's payroll and other records.

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 employee involved in this dispute are respectively carrier and employee 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 March 6, 1958 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 20th day of March, 1958.