

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: This is a claim of the System Committee of the Brotherhood that:

(a) The Carrier violated and continues to violate the provisions of the Agreement of August 15, 1950, (otherwise identified as Plan "X" or the "Green Book") by the abolishment of the following positions upon the completion of the shift on the dates listed: Supervisor and Head Statistician, October 31, 1955; two positions of typist, November 17, 1955; Junior Clerk, November 23, 1955; and two positions of Assistant Statistician, December 30, 1955.

(b) The occupants of the abolished positions above referred to and/or their successors or other employees who have been adversely affected as a result of these abolishments, be compensated for a day's pay for each day of the violation, in addition to other compensation already received. This claim is to continue until the violation is corrected, the positions re-created, and the work restored to employees as it existed immediately prior to the abolishments.

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 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 September 2, 1958, 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 16th day of September, 1958, .