

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

CASE NO. 1

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

(a) Carrier violated the Clerks' Agreement at the Ticket Office, Central Station, Memphis, Tennessee, when on March 8, 1956 it unilaterally assigned work theretofore attaching a clerical position to be performed by an employe of the Carrier occupying a position not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) S. H. Holt be compensated the difference between what he was paid on his assigned ticket clerk position and the rate of pay attaching the accountant position on March 8, 1956.

CASE NO. 2

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

(a) Carrier violated the Clerks' Agreement at the Local Freight Agent's Office, Memphis, Tennessee, when on April 10, 11, 12 and 13, 1956 it unilaterally assigned work theretofore attaching a clerical position to be performed by an employe occupying a position not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) M. G. Burks be compensated the difference between what he was paid on his regularly assigned position and the rate of pay attaching the chief clerk position on dates enumerated in Claim (a) above.

CASE NO. 3

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

(a) Carrier violated the Clerks' Agreement at the Local Freight Agent's Office, Memphis, Tennessee, when on August 25, 1956 it unilaterally assigned work theretofore attaching a clerical position to be performed by an employe of the Carrier occupying a position not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) E. J. O'Hara be compensated for wage losses sustained representing a day's pay at the rate attaching the chief clerk position on August 25, 1956.

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 employes involved in this dispute are respectively carrier and employes 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 this Division was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon was waived by the parties and under date of April 6, 1959 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 15th day of April, 1959.