

Award No. 9276
Docket No. CL-11552

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC
RAILROAD COMPANY**

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

1. Carrier violated and continues to violate the Clerks' Rules Agreement when on July 5, 1950 it abolished clerical Position No. 867 at Elkader, Iowa and assigned the remaining duties of the position to the Agent, an employe outside the Clerks' Agreement.
2. Carrier shall restore the work to the scope and application of the Clerks' Agreement and to the employes entitled thereto.
3. L. M. Powell, occupant of Position No. 867 at the time of abolishment shall be compensated for eight (8) hours at the applicable rate of pay of Position No. 867 for September 15, 1958 and each subsequent day the violation continues.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That no hearing thereon has been held, and under date of March 7, 1960, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 24th day of March, 1960.