

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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**PARTIES TO DISPUTE:**

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

**CHICAGO, MILWAUKEE, ST. PAUL AND 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 August 1, 1957 it abolished clerical Position No. 80 at Webster, South Dakota and assigned the remaining duties of the position to employees outside the scope and application of the Clerks' Agreement.
2. Carrier shall return the work of clerical Position No. 80, as it existed prior to the abolishment, to the Clerks' Rules Agreement and to the employees covered thereby.
3. Carrier shall compensate employee James C. Wilcox, occupant of clerical Position No. 80 at the time of abolishment, for eight (8) hours at the applicable rate of pay of Position No. 80 for January 31, 1958 and each subsequent day until such time as the violation is corrected.
4. Carrier shall compensate any and all other employees for all losses suffered as a result of the abolishment.

**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 April 28, 1960, 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: S. H. Schulty  
Secretary

Dated at Chicago, Illinois this 11th day of May, 1960