

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD COMPANY

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

(1) Carrier on September 17, 1958, violated the clerical Agreement when they abolished position of Janitor, Group 3, assigned hours 4:00 P. M. to 1:00 A. M. with one hour for lunch, rate \$340.99 per month, and assigned the janitor work of the discontinued position to Group I employees at Rock Island, Illinois.

(2) The Carrier also abolished the relief cycle relieving the Day and Night Janitor and assigned the Janitor work on Sundays to Group I employees to perform the work of the one remaining janitor position and also that of the janitor position abolished.

(3) Claimant, H. B. DeBruine, be paid eight (8) hours at punitive rate, at the rate of \$345.85 per month, the rate of the remaining janitor position, each day, seven (7) days per week, effective September 17, 1958, until the violation has been discontinued, this being a continuous claim.

(4) Any increase in pay or cost-of-living increase to be added to the above rates.

FINDINGS: The Third Division of the Adjustment Board, 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 was waived by the parties and under date of June 21, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 28th day of June, 1960.