

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

WABASH RAILROAD COMPANY

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

(1) Carrier violated the Schedule for Freight Handlers and the Letter Agreement dated December 29, 1949 when, on July 30, 1958, it furloughed Mr. A. M. Roddy from position of Acetylene Torch Operator at Decatur, Illinois, although he had neither been displaced nor was his position properly abolished.

(2) Mr. Roddy be paid at the rate of Acetylene Torch Operator on all work days of his position while same was blanked, July 31, 1958 to August 21, 1958 inclusive, a total of sixteen (16) working days.

NOTE: The monetary wage loss due Roddy to be determined by joint checks of payrolls and other necessary records.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and 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 July 29, 1960, the parties jointly 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 16th day of September, 1960.