

Award No. 9692

Docket No. CL-10667

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE PENNSYLVANIA RAILROAD COMPANY

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

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly the Scope Rule and Rules 2-A-1 and 2-A-2, when it used taxi cab drivers employed by the Hills Cab Company to perform messenger work in transporting bills between various points in and around Columbus, Ohio, Buckeye Region.

(b) Positions of Messenger, sufficient in number to perform this work be established and bulletined, and that R. P. Dolan, P. H. Peters, and other Group 2 employes designated by the Brotherhood, be allowed a call, as provided in Rule 4-A-6, for each trip made by the Hills Cab Company drivers in transporting bills, not less than six such calls to be allowed on each of the three tricks, or tours of duty, each date. Claim are retroactive ninety days from June 20, 1956, and include all subsequent dates until the violation is corrected. (Docket 169.)

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

That the Carrier and Employees 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 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 October 4, 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.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 15th day of December, 1960.