

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL 4921) that:

1. Carrier violated the provisions of a Memorandum of Agreement between the parties dated November 2, 1937 and the Clerks' Agreement when, effective December 31, 1959, it abolished the position in the Trans-Continental Freight Bureau at Tacoma, Washington, assigned and belonging to an employe covered by the Clerks' Rules Agreement with the Chicago, Milwaukee, St. Paul and Pacific Railway and assigned and permitted employees outside of that Agreement to perform the work formerly performed on the abolished position.

2. Carrier shall compensate Employee Thomas J. Dolle for one day's pay at the rate of his position for each work day from January 5, 1960 to June 1, 1960 when the automobile inspection work was returned to the employees on the Chicago, Milwaukee, St. Paul and Pacific Railroad covered by the Clerks' Agreement.

3. Carrier shall compensate employe Jewell M. Campbell for one day's pay at his current rate of pay for each work day from January 8, 1960 to June 1, 1960.

4. Carrier shall compensate employe Adolph Carufel for one day's pay at the rate of his position for each work day from January 8, 1960 to June 1, 1960.

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

That the Carrier and the Employees 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 August 31, 1961, 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 11th day of September, 1961.