

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY

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

(1) That Carrier violated rules of the current Agreement between the parties when effective May 15, 1957, it abolished three positions with payroll classification of Store Clerk, Stockman Helper and Laborer in the Stores Department at Yard Center and concurrent therewith established three positions with payroll classification of Laborer in the Mechanical Department at a lesser rate of pay to perform the duties of the abolished positions.

(2) That the claim of the involved employes, namely, Ed. Diles, Store Clerk; Chas. Willis, Stockman Helper; and D. J. Bradley, Laborer, for a day's pay at the rate of the position each occupied, i.e., Diles \$16.59 per day, Willis \$1.99 per hour, and Bradley \$1.85 per hour, as of May 14, 1957, for May 15, 1957, and for each day thereafter until the rule violation is corrected, be allowed account Carrier's failure to comply with provisions of Article V (Carrier's Proposal No. 7) of the August 21, 1954, National Agreement, Appendix B of the parties' current Agreement effective April 22, 1955.

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 December 1, 1961, 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 31st day of January, 1962.