

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the system Committee of the Brotherhood (GL-5032) that:

(1) Carrier violated rules of the current Agreement with the Brotherhood of Railway Clerks starting April 17, 1961, when it used Mrs. Veronica Spero, a furloughed employe, who had not complied with the provisions of Article IV of the Chicago Agreement of August 21, 1954, as an extra clerk at Denver Freight Station.

(2) Mr. C. A. Sorensen, senior available clerk in Denver, shall now be paid \$19.27 per day starting April 17, 1961 and continuing through May 3, 1961.

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

That the Carrier and the Employe involved in this dispute are respectively carrier and employe 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 was waived by the parties and under date of January 30, 1962, 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 9th day of February, 1962.