

Award No. 1331
Docket No. CL-1502

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

**CHICAGO, INDIANAPOLIS & LOUISVILLE RAILWAY
COMPANY**

(Holman D. Pettibone, Trustee)

STATEMENT OF CLAIM: "(a) Claim of the System Committee of the Brotherhood that the Carrier violated and continues to violate its agreement with this Brotherhood when on September 19, 1939, it arbitrarily and without conference with the Representatives of the Brotherhood, nominally discontinued position classified as Rate Clerk in the Local Freight Office at Indianapolis, Indiana, rate \$141.32 per working day month, and concurrent therewith assigned the duties to an employe paid at a lower rate, and

"(b) That the Carrier shall now be required to restore the position of Rate Clerk and compensate employes for all wage losses as a result of the Carrier's violation of our agreement, retroactive to and including September 19, 1939."

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party.

That hearing thereon has been held but not concluded and under date of January 10, 1941, the complainant party addresssed a formal communication to the Secretary of the Third Division withdrawing this case.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 13th day of January, 1941.

[764]