

Award No. 1478
Docket No. CL-1563

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**ATLANTA, BIRMINGHAM AND COAST RAILROAD
COMPANY**

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that the action of the Atlanta, Birmingham and Coast Railroad Company in employing taxicab driver E. J. Haynes to call Engineer on April 16, 1940, and Switchman on April 19, 1940, was a violation of the agreement, and that Caller-Clerk J. W. Plemons, Jr., who was available and should have been called to perform such service, be compensated for call on each of these dates."

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and 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 employees 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; and

That hearing thereon has been held but not concluded. Under date of June 13, 1941, the petitioner advised the Secretary of the Third Division of their desire to withdraw 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: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 19th day of June, 1941.