

Award No. 1748
Docket No. CL-1644

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE ERIE RAILROAD COMPANY

(Robert E. Woodruff and John A. Hadden, Trustees)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes that the carrier violated the Clerks' Agreement, and continues to violate such agreement when effective August 1, 1938, it abolished the position of Stenographer and Clerk, rate \$4.75 per day, at Kent, Ohio, and assigned a majority of the work of the position to the Agent and Operator Clerks. The Agent and Operator Clerks are not covered by the scope and operation of the Clerks' Agreement, and

That the carrier shall now be required to re-establish, bulletin and assign said position to the senior qualified applicant covered by the Clerks' Agreement, and to reimburse such senior qualified applicant and other employes affected for any and all wage loss suffered.

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 employes involved in this dispute are respectively carrier and employes 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 and concluded. Under date of March 10, 1942, the employes and the carrier jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 17th day of March, 1942.