

Award No. 1758
Docket No. CL-1837

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

CHICAGO & ILLINOIS MIDLAND RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the carrier violated the agreement extant between the respective parties, (1) when it required its night roundhouse foreman at Taylorville, Illinois, to perform the work of a stockman at the Taylorville storeroom on certain dates set out in the statement of facts, and (2) that C. Smothers, stockman employed at the Taylorville store was entitled to perform the work, and (3) that he shall be paid for all losses suffered by reason of the carrier's failure to observe the agreement rules.

FINDINGS: The Third Division of the Adjustment Board finds:

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

That no hearing thereon has been held and under date of March 25, 1942, the complainant party addressed 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 1st day of April, 1942.