

Award No. 1801
Docket No. CL-1930

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

MIDLAND VALLEY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(1) The carrier violated and continues to violate the Clerks' Agreement by refusing to permit Phil Harding, furloughed employe (holding seniority rights in the Accounting Department) to perform extra laborers work at Store and Mechanical Department in preference to employes of another craft and class or non-employes, and

(2) Phil Harding be compensated in full for all extra laborers work at Store and Mechanical Department, from date of original complaint, October 26, 1938, to final settlement of this case.

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 May 7, 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 14th day of May, 1942.