

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

**CHICAGO, INDIANAPOLIS AND LOUISVILLE
RAILWAY COMPANY**

(L. F. De Ramus and Holman D. Pettibone, Trustees)

STATEMENT OF CLAIM:

- (1) Claim of the System Committee of the Brotherhood that the carrier violated and continues to violate its agreement with this Brotherhood when on or about August 31, 1937, it nominally discontinued position classified as "Asst. to Agent" in the Louisville, Kentucky, freight station, with established basic rate of \$148.00 per working day month and in lieu thereof on September 13, 1937, without conference, negotiation, or agreement with the organization's representatives, arbitrarily established a new position titled "O. S. & D. and Claim Clerk" with rate of \$106.12 per working day month, and to the occupant of that position the carrier assigned all the duties of the position abolished, and
- (2) that the carrier shall now be required to restore the position of "Asst. to Agent" with the rate of \$148.00 plus the wage increases beginning with August, 1937, and brought to date, and
- (3) that the carrier shall now be required to compensate the incumbent, E. H. Stevens, the difference in wages, retroactive to December 1, 1943.

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 complainant party; and

That no hearing thereon has been held, and under date of August 9, 1944, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 11th day of September, 1944.