

Award No. 2698
Docket No. CL-2839

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

(Wilson McCarthy and Henry Swan, Trustees)

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

(1) That Mr. H. R. Wissmath, Check Clerk and B. C. Maher, Trucker, and others serving in like positions, Durango, Colorado, be compensated under the Call Rule for each day subsequent to February 14, 1943 on which others than those coming within the provisions of the Clerks' Agreement were required or permitted to handle railroad L. C. L. freight at Durango, Colorado.

(2) That the practice of allowing others than those covered by the Clerks' Agreement to perform the work of handling railroad L. C. L. freight at Durango, Colorado, and other points, be discontinued.

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 November 8, 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 14th day of November, 1944.

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