

Award No. 2900
Docket No. CL-2825

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 that the Carrier has violated and continues to violate the Clerks' Agreement:

(1) By changing seniority date of Mr. W. C. Powell, Clerk, General Auditor's Office, from May 11, 1942 to April 15, 1935.

(2) That Mr. W. C. Powell's date be corrected to read May 11, 1942 on the General Auditor's roster and his date of April 15, 1935 in the Freight Accounts Office be eliminated.

(3) That any employee who has or may suffer loss of compensation by the action of the carrier in allowing Mr. Powell seniority date of April 15, 1935 in the General Auditor's Office, be compensated for such loss.

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 employees involved in this dispute are respectively carrier and employees 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;

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

That hearing thereon has been held and concluded. Under dates of April 2, 1945 and April 5, 1945, respectively, the complainant party and the carrier addressed formal communications 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 25th day of April, 1945.