

Award No. 3383

Docket No. CL-3400

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

SEABOARD AIR LINE RAILWAY

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

(1) That the Management's action in abolishing position of Roundhouse Clerk, Portsmouth, Va., Roundhouse, and assignment of routine clerical duties formerly attached to that position to employes without the scope and operation of the Clerks' Agreement violated the rules of said Agreement; and

(2) That the position shall now be reestablished, the last regularly assigned incumbent, Roundhouse Clerk Thornton, and all employes affected fully compensated for all wage losses sustained as a result of such agreement violation retroactive to September 1, 1945.

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 employe involved in this dispute are respectively carrier and employe 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 but not concluded. Under date of January 2, 1947, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of the case from further consideration by the Division, 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 7th day of January, 1947.