

Award No. 3542

Docket No. CL-3621

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

**NORFOLK AND PORTSMOUTH BELT LINE RAILROAD
COMPANY**

STATEMENT OF CLAIM:.. Claim of the System Committee of the Brotherhood that the carrier violated the Clerks' Agreement:

1. When on August 1, 1945, the carrier arbitrarily reduced an agreed upon rate of pay of an established position and required the occupant thereof to continue to perform relatively the same class of work.

2. That the carrier shall now be required to restore the rate of pay of the position which existed immediately prior to August 1, 1945.

3. That the carrier shall now be required to reimburse the claimant, J. R. Rigsby, for all wage loss suffered on and after August 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 Employee involved in this dispute are respectively carrier and employee 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 May 7, 1947, 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 19th day of May, 1947.