

Award No. 3961

Docket No. CL-4206

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ERIE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that the carrier violated the rules of the Clerks' Agreement at Cleveland, Ohio:

(1) When on January 2nd and 3rd, 1947, it permitted employes holding no rights on the seniority roster of office of Auditor of Disbursements to perform work previously performed by and constituting an integral part of the duties of position titled, Clerk—Government Bills, and position titled, Bookkeeper.

(2) When on January 2nd and 3rd, 1947, it required an employe to suspend work on his regular assigned position of Accountant—I. & C. Department and work on position assisting Bookkeeper, for the purpose of absorbing overtime.

(3) Claim that Employes Frank W. Kelly and Donald I. Bundy be paid at the rate of time and one-half for sixteen hours that they were denied the right and opportunity to perform overtime, account employes holding no rights under the Clerks' Agreement to perform this work.

(4) Claim that Mr. Mowerson be paid at the rate of his regular position for each day he was withheld from his assigned position, this in addition to the amount he has actually been paid for working on position of Bookkeeper.

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 June 11, 1948, the parties jointly 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 30th day of June, 1948.