

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

ORDER OF RAILROAD TELEGRAPHERS

BOSTON AND MAINE RAILROAD

STATEMENT OF CLAIM: Claim of the General Committee of the Order of Railroad Telegraphers on the Boston and Maine Railroad—

(1) That the Carriers violated Rule 22 of the Telegraphers' Agreement, when, commencing February 2, 1949, it assigned to Mrs. Miriam D. Gilbert, the regularly assigned Assistant Ticket Agent and Operator at Exeter, N. H., the added performance of the arduous and heavily laborious work of loading and unloading United States Mail and Parcel Post and baggage to and from trains formerly handled by a baggageman under the Clerks' Agreement, which added work, she as a female, was physically unable to perform and from which request for relief was denied, thereby causing Mrs. Gilbert to refrain from working her assigned position commencing February 3, 1949, until the working conditions shall be made healthful and fitted to her needs as required by Rule 22; and

(2) That the Carrier shall, commencing February 3, 1949 be required to pay Mrs. Gilbert the wage loss for each day until her former working conditions on her position have been restored by the removal of the performance of the heavily laborious work of handling United States Mail and Parcel Post and Baggage to and from trains, in compliance with the provisions of Rule 22.

FINDINGS: The Third Division of the Adjustment Board upon the whole record and all the evidence, finds and holds:

That both parties to this dispute waived oral hearing thereon;

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 by Joint Submission; and

That under date of December 18, 1949, the parties jointly addressed a formal communication to the Acting Secretary of the Third Division, request-

ing withdrawal of this 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 19th day of January, 1950.