

Award No. 4936  
Docket No. CL-5111

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES  
UNION PACIFIC RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, that Carrier violated the Clerks' Agreement effective April 1, 1945:

1. When on July 6, 1947, Management unilaterally transferred a portion of the normal work assignment of the Baggage Clerk consisting of handling of baggage on Trains Nos. 105 and 106 at Baker, Oregon to employees not included within the Scope Rule of our Agreement with the Carrier, and,
2. That Robert B. Maxwell (and his successors, if there be any) second shift Baggage Clerk at Baker be compensated for wage losses sustained, namely, two hours per day excluding Sundays, at overtime rate attached to the position of second shift Baggage Clerk retroactive to July 6, 1947, and to continue thereafter until the performance of the work is restored to the Baggage Clerk position.

**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 the complainant party; and

That hearing thereon has been held but not concluded. Under date of July 11, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

Case dismissed.

**AWARD**

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division**

**ATTEST:** A. I. Tummon  
Acting Secretary

Dated at Chicago, Illinois, this 20th day of July, 1950.