

Award No. 5383

Docket No. CL-5613

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

THE PENNSYLVANIA RAILROAD COMPANY

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

(a) The Carrier violated the provisions of the Rules Agreement, effective May 1, 1942, particularly the Scope, by assigning work covered by the Agreement to employees holding no seniority rights under the Rules Agreement.

(b) A position of Stores Attendant be established on the second and on the third tricks at the Oil House, located in the Enginehouse territory, Terre Haute, Indiana, and be advertised and awarded under the provisions of Rules 2-A-1 and 2-A-2. (Docket W-326.)

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 the complainant party; and

That no hearing thereon has been held, and under date of July 5, 1951, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary**

Dated at Chicago, Illinois, this 9th day of July, 1951.

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