

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE COLORADO & SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees:

(1) That Carrier violated rules of the currently effective Agreement, dated July 1, 1924, when on January 19, 1950 it reduced forces at the Denver Freight Station, laying off two regularly employed Freight Handlers contrary to its obligation under Rule 17 (c) in that they failed to give said employees five (5) days' advance notice of the reduction in force.

(2) That Carrier now be required to reimburse the occupants of the two (2) positions, John C. Labriola and Carlos B. Summers, respectively, for all wage loss sustained, i. e., one day's pay, rate \$11.04, each for January 20, 23 and 24, 1950.

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 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 and concluded. Under date of November 29, 1951, the parties jointly advised the Acting Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

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AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 14th day of December, 1951.