

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Carroll R. Daugherty, Referee

PARTIES TO DISPUTE:

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

CHICAGO AND NORTH WESTERN RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the system committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the Carrier violated and continues to violate the working agreement by transferring work from seniority district No. 33 to seniority district No. 35 without proper negotiations and/or agreement:

(1) That all iron ore dock employees at Ashland, Wisconsin in seniority district No. 33, who have not been employed on each day during the 1951 ore shipping season, now be compensated eight hours' pay at pro rata rate, Mondays through Fridays; and

(2) That all iron ore dock employees at Ashland, Wisconsin in seniority district No. 33, holding seniority therein, be allowed eight hours at rate and one-half for each and every Saturday and Sunday during the 1951 ore shipping season; and

(3) That the Carrier be required to follow the provisions of the rules agreement to eliminate further rules violative action for subsequent iron ore shipping seasons; and

(4) That all iron ore dock employees at Ashland, Wisconsin in seniority district No. 33 be compensated two hours' overtime for each and every day during the ore shipping season for the year 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 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 by joint submission of the parties; and

That hearing thereon has been held and concluded. Under date of October 8, 1952, the parties jointly advised the Secretary of the Third Division of their desire to withdraw 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 31st day of October, 1952.