

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Donald F. McMahon, Referee

PARTIES TO DISPUTE:

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

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

1. That the Carrier violated the rules of the Clerks' Agreement when on June 15, 1951, it assigned Mr. John F. O'Brien to perform extra work on positions covered by the scope and operation of the Clerical Agreement, and as a result of such action, subsequently awarded him a regular assigned position under the rules of the Clerical Agreement, thereby depriving to employees holding seniority rights to perform work under the rules of the Clerical Agreement.

2. That Chester H. Stankiewicz be compensated at the rate of time and one-half of his regular rate for each and every day that Mr. John F. O'Brien was improperly assigned to position of Crew Clerk at Bridgeport, Pa., beginning November 13, 1951.

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 employe involved in this dispute are respectively carrier and employe 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 July 21, 1953 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 3rd day of August, 1953.