

Award No. 6437
Docket No. CL-6836

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

THE WICHITA UNION TERMINAL RAILWAY COMPANY

STATEMENT OF CLAIM: (a) Carrier violated rules of the Clerks' Agreement at the Wichita Union Terminal Railway Company, Wichita, Kansas, when on July 13, 1952, it used a junior employe to fill a vacancy in preference to a senior qualified and available employe; and

(b) Orville W. Ihde shall now be paid for eight (8) hours at the rate of time and one-half of Position No. 121 for July 13, 1952, as result of this violation.

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 December 7, 1953, the complainant party addressed a formal communication to the 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 8th day of January, 1954.