

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees on the Missouri Pacific Railroad, that the Carrier violated the Clerks' Agreement:

1. When, effective with the close of business on Saturday, March 31, 1956, the position of General Clerk at Kensett, Arkansas, assigned hours, 4:30 A. M.-12:30 P. M., with twenty minutes meal period, rate \$15.82 per day, regularly assigned to Clerk O. C. Vincent, seniority date, Arkansas Division, Class B of August 16, 1924 and in Class A as of December 14, 1942, was abolished, and on Sunday, April 1 and Monday, April 2, 1956, the Carrier violated the Clerks' Agreement when it removed the work from the scope and operation of the Agreement and assigned the work to the Station Agent and employed an outsider and utilized such outsider to perform a portion of the work of the abolished position;

2. The Carrier shall be required to pay Clerk O. C. Vincent for eight hours each for the days of Sunday, April 1 and Monday, April 2, 1956 at the rate of \$15.82 per day, amount \$31.64, account violation of Scope Rule 1, the seniority rules and related rules of the Clerks' Agreement.

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 October 24, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 26th day of October, 1956.