

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) The Clerks' Agreement was violated during the period April 21 to May 23, 1953, inclusive, as result of Agent D. K. Downey being required or permitted to perform billing work when the position of Bill Clerk at Helper Station was abolished.

(2) Cashier G. W. Truscott shall be paid three hours at time and one-half rate of his assigned position for each day—April 21, 22, 23, 24, 27, 28, 29, 30, May 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22 and 23, 1953, account not being used to perform this work of billing coal shipments on overtime basis when this work was handled by Agent D. K. Downey.

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

Dated at Chicago, Illinois, this 2nd day of November, 1956.