

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 on July 9, 1952, it nominally abolished the position of Bill Clerk, rate \$14.26 per day, at Conway, Arkansas, and removed the clerical work comprising the essence and substance of the regularly assigned duties of the position out from under the scope and operation of the Agreement and utilized a Station Agent, an employee of another craft, to perform said work, in violation of Scope Rule 1, Definition Rule 2 and other related rules of the Clerks' Agreement;

2. The Carrier be directed by appropriate Board Order to reimburse claimants Clerks F. M. Heaton and W. F. Mullings, for wage loss suffered due to the Carrier's action in violation of the Agreement as shown in "Claim Statement" attached hereto and made a part hereof, which claims are continuing until the violation of Agreement is removed and the claims satisfied.

CLAIM STATEMENT

(Not copied)

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 the Carrier and the Employees involved in this dispute are respectively carrier and employees 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 complainant party; and

That hearing thereon has been held and concluded. Under date of November 16, 1956, the parties jointly addressed a formal communication to the

Secretary of the Third Division, requesting withdrawal of 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 12th day of December, 1956.