

Award No. 7684  
Docket No. CL-8938

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**UNION PACIFIC RAILROAD COMPANY  
(Western Districts)**

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

(a) The Carrier violated the Clerks' Agreement when it failed and/or declined to assign employee Orpha L. Johnson to vacancies on positions in Motive Power Department subsequent to March 26, 1954, on which date she assumed the status of a furloughed employee, and instead used employees junior in seniority to Miss Johnson to fill said vacancies, and,

(b) That employee Orpha L. Johnson be compensated in the amounts of eight hours' pay at the rate of position from which withheld, for the periods April 12 to 15, 1954, inclusive; from April 19 to 23, 1954, inclusive; from May 3 to 7, 1954, inclusive; from May 10 to 13, 1954, inclusive; from May 17 to 21, 1954, inclusive, and for each day subsequent thereto so long as the practice shall continue that is responsible for this claim.

**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 February 12, 1957, 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 15th day of February, 1957.