

Award No. 7871

Docket No. CL-7493

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that Carrier violated the Clerks' Agreement on the Baltimore and Ohio Railroad property at Pittsburgh, Pa.,

(a) When it failed to fill the regular assigned positions established under the Rules at the Pittsburgh Freight Station platform on December 8, 1953, and

(b) That John Mobrey, Trucker and Extra Tallyman, be paid the difference between the rate of Tallyman (\$14.31 per day) and Trucker (\$1.67 per hour) for eight (8) pro rata hours on Tuesday, December 8, 1953, and Jay L. Pridgeon and James Hardwick, Truckers, for eight (8) pro rata hours at \$1.672 per hour on December 8, 1953.

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 employes involved in this dispute are respectively carrier and employes 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 jointly by the parties; and

That hearing thereon has been held and concluded. Under date of March 12, 1957, 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 15th day of May, 1957.