

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE BALTIMORE AND OHIO RAILROAD COMPANY

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

(1) Carrier violated the Clerks' Agreement at Cincinnati, Ohio when on October 9, 11, 16, 17, 1951, Assistant Regional Accountant J. W. Spann priced and extended inventory cards for a total of 18 hours.

On October 3, 4, 8, 9, 15, 16, 23, 24, 25, 1951, Mr. O. J. Payne, Supervisor, compiled Form 955-A and inventory cards for a total of 33 hours 45 minutes.

On October 3 and 8, 1951, Mr. D. A. Kinninger, Supervisor (M of E Department), prepared Form 955-A for a total of 4 hours.

On October 19, 22, 23, 24, 25, 1951, Mr. J. H. Dickeson, Inspector of Accounts, worked on inventory cards for a total of 46 hours and 30 minutes, and

(2) That W. C. Baker, Jr., be compensated at the punitive rate for 102 hours 15 minutes at his daily rate of \$14.66 per day.

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 the 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.