

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 of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that:

1. Carrier is violating the terms of the current Clerks' Agreement at Philadelphia, Pa., LCL Freight Station by permitting outside truck drivers to handle freight from various locations on the freight house floor to their motor vehicles, using the two wheel trucks and other railroad freight handlers' equipment in the performance of such work, also

2. Claim that the Carrier, therefore, be required to refrain from allowing such outside people to perform the freight handling work here involved and that such work shall be assigned to employees of the Carrier holding seniority rights under the Clerks' Agreement, and further claim that

3. Extra Truckers C. Plummer, W. Parker and C. Mitchell, and all other extra or unassigned warehouse truckers be compensated for wage loss on March 31, 1953, and each subsequent date thereafter until the condition is corrected.

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 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.