

Award No. 7939
Docket No. CL-9220

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ILLINOIS CENTRAL RAILROAD COMPANY

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

(a) Carrier violated rules of the Clerks' Agreement at Martin, Tennessee, when on December 1, 1955, it unilaterally assigned work theretofore attached to clerical positions to be performed by employees of the Carrier occupying positions that are not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) W. Harrison, T. C. Ladd, F. M. Birchett, and/or their successors, if there be any, and all other clerical employees adversely affected be compensated for wage losses sustained representing a day's pay at the pro rata rate of Positions Nos. 84 and 87, retroactive to December 1, 1955, and forward to date the Rules violation is corrected. (Pro rata rate of Position No. 84, \$14.93 and No. 87, \$13.94 per day.)

NOTE: Reparation to be determined by joint check of Carrier's payroll and other records.

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 May 10, 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 23rd day of May, 1957.