

Award No. 8113

Docket No. CL-9623

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

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

(1) The Carrier violated the terms of the currently effective Agreement between the parties when effective on or about March 27, 1956 and continuing up to date, the Carrier removed work previously attached to Group 2 positions at Fort Smith, Arkansas and assigned the work to Group 1 employees.

(2) The senior available extra Group 2 employee be reimbursed for a day's pay at the Station Porter rate for five days each week and the next senior available Group 2 employee be reimbursed for a day's pay at the Station Porter rate for two days each week until corrected. Reparation due employees is to be determined by joint check of Carrier's payrolls and such other records that may be deemed necessary to establish proper claimant(s) and amounts due.

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 the complainant party; and

That hearing thereon has been held but not concluded. Under date of October 25, 1957 the complainant party 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 4th day of November, 1957.

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