

Award No. 8245
Docket No. CL-9505

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ILLINOIS CENTRAL RAILROAD COMPANY

CASE NO. 1

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

(a) Carrier violated Rules of the Clerks' Agreement at the Yard Office, Baton Rouge, Louisiana, when on January 15, 1956, it unilaterally assigned clerical work theretofore attached to a clerical position 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) G. M. Allison, the senior unassigned clerk, and/or her successor, if there be any, and all adversely affected clerical employees be compensated for wage losses sustained representing a day's pay at the pro rata rate (\$15.44 per day) retroactive to January 15, 1956, and forward to date the rules violation is corrected.

NOTE: Individual employees affected by the rules violation be determined by joint check of Carrier's payroll and other records and retribution made accordingly.

CASE NO. 2

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

(a) Carrier violated Rules of the Clerks' Agreement at the Yard Office, Baton Rouge, Louisiana, when on January 20, 1956, it unilaterally assigned clerical work theretofore attached to a clerical position to be performed by employees of Carrier occupying positions that are not included within the Scope Rule of its Agreement with the Brotherhood, revised as of February 1, 1954.

(b) G. M. Allison, the senior unassigned clerk and/or her successor, if there be any, be compensated for wage losses sustained representing a day's pay at the pro rata rate (\$15.44 per day) retroactive to January 20, 1956, and forward to date the rules violation is corrected.

NOTE: Individual employes affected by the rules violation be determined by joint check of Carrier's payroll and other records and retribution made accordingly.

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 ex parte by complainant party; and

That hearing thereon has been held and concluded. Under date of February 4, 1958, 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 12th day of February, 1958.