

Award No. 8323
Docket No. CL-10151

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

SOUTHERN RAILWAY COMPANY

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

(a) The Carrier violated the Agreement when, at Eastman, Georgia, effective July 17, 1956, it assigned the major portion of the duties of the "abolished" position of "Clerk" to a contract trucker having no rights under the Agreement.

(b) As a penalty, Mr. A. A. Johnson, Clerk, seniority date December 14, 1950, shall now be compensated additionally at the rate of \$14.99 per day (plus or minus negotiated adjustments) for each work day, Monday through Friday, from July 17, 1956, until the violation is corrected.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That no hearing thereon has been held, and under date of April 1, 1958, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 28th day of April, 1958.