NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: This is a claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Rules of the Clerks' Agreement by permitting and/or requiring Traveling Accountant J. G. Etchebehere, holding an excepted position in Seniority District No. 4, to perform routine clerical work assigned to employes on bid positions in Seniority District No. 19.

(b) Mr. Frank Oldham, Division Accountant in the Eastern Division Accounting Department, Seniority District No. 19, be compensated for eight hours each day, January 17 and 18, 1955, at the rate of time and one-half, (in addition to compensation already received for service performed on these days) because of having been denied the opportunity to perform work regularly assigned by bulletin to him and other employes in the Accounting Dept. of the Eastern Division.

FINDINGS: The Third Division of the Adjustment Board, 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 the complainant party; and

That hearing thereon was waived by the parties and under date of September 2, 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 16th day of September, 1958.