

Award No. 8499

Docket No. CL-10558

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

CHICAGO GREAT WESTERN RAILWAY COMPANY

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

(1) That the Carrier violated the agreement between the Carrier and the Brotherhood, effective August 15, 1939, reprinted May 1, 1955, when on January 21, 1957 it permitted a crew of section men, consisting of five (5) laborers and two (2) foremen, employees not covered by the scope of the effective agreement, to perform the duties of transferring a bad order shipment of lumber from car GN 65262 into car SLSF 7376 at the State Street Yard, St. Paul, Minnesota, which work is normally and customarily performed by employees within the scope of the effective agreement; and

(2) That the Carrier shall now be required to compensate W. F. Ross, C. M. Wigen and E. G. Hetznecker, freight handlers, St. Paul, Minnesota, for two (2) days' pay each at the rate of time and one-half of their positions, for January 21, 1957.

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 October 7, 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 22nd day of October, 1958.