

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
THE BALTIMORE AND OHIO RAILROAD COMPANY

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

(1) The Carrier violated the Agreement when, at the close of business on February 17, 1956, it abolished a position of Lampman held by Wade G. Jenkins, and, in lieu thereof, arbitrarily established a dual position of Lampman-Crossing Watchman, which is not permitted under Agreement rules.

(2) The Carrier shall immediately discontinue the dual position of Lampman-Crossing Watchman.

(3) The position of Lampman should be restored and that Wade G. Jenkins and all other employees adversely affected by the abolishment of this position should be restored to their former status and be reimbursed for any monetary loss sustained by reason of the violation referred to in Part (1) of this claim.

(Note—Monetary claim is retroactive to March 29, 1956.)

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board jointly by the parties;

That Carrier and 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 hearing thereon has been held and concluded. Under date of February 20, 1959, the parties jointly advised the Secretary of the Third Division of their desire to withdraw 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 26th day of February, 1959.