

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DELAWARE, LACKAWANNA AND WESTERN
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees on the Delaware, Lackawanna and Western Railroad, that the Carrier violated and continues to violate the Clerks' Agreement:

(1) When effective with the inauguration of the so-called piggy-back service at Grove Street Yard, Jersey City, N. J., it improperly allocated the work of unloading, loading, blocking and tying down of such freight to carman, employees not covered by the Clerks' Agreement, and

(2) That the Carrier shall be required to properly assign the work enumerated herein, to employees covered by the scope and operation of the Clerks' Agreement, and that all or any employees adversely affected by the improper assignment of said work shall be reimbursed for all monetary losses sustained, retroactive to January 1, 1955 and until such time as the condition is corrected.

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

That hearing thereon has been held and concluded. Under date of September 16, 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: F. P. Morse
Acting Secretary

Dated at Chicago, Illinois, this 29th day of September, 1959.