

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

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

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY  
COMPANY—Western Lines**

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

(a) Carrier violated the provisions of the Clerks' Agreement at the Albuquerque Storehouse when it removed Storehelper J. Valtierra from his assignment against his wishes and required Mr. Valtierra to exchange assignments with Mr. O. Armijo; and,

(b) J. Valtierra and O. Armijo shall each be returned to their regular assignments; and,

(c) J. Valtierra shall be paid four (4) hours per day in addition to what he is paid each work day from February 4, 1958, until violation 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 the 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 Adjustment Board ex parte by the complainant party; and

That hearing thereon was waived by the parties and under date of September 24, 1959, the complainant party 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: F. P. Morse  
Acting Secretary

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