

Award No. 9054
Docket No. CL-10511

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

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

(1) The Carrier violated and continues to violate the rules of the Clerical Agreement by abolishing Weigh & Bill Clerk position. Rate of pay \$16.71, at Wallsend, Ky., June 16, 1957, occupied by R. L. Lawson, and concurrently therewith assigned the duties to an Agent and an Operator not covered by the Clerks' Agreement.

(2) The position at Wallsend, Ky., be reestablished and Clerk R. L. Lawson be reassigned to it.

(3) Clerk R. L. Lawson and all other clerks, including extra clerks, not compensated for any wage loss sustained from June 16, 1957, and subsequent thereto until the Agreement is properly applied.

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 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. Under date of October 19, 1959, the parties jointly advised the Secretary of the Third Division

sion 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 4th day of November, 1959.