

Award No. 9284

Docket No. CL-11176

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD — Gulf District

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

1. The Carrier violated the Clerks' Agreement when on July 27, 1958, they failed to assign Mrs. K. Callaway to the position of Timekeeper RT-13, District Accounting Office, Palestine, Texas, thereby refusing her the right to exercise her seniority rights to this position, this being the result of Bulletin No. DAO 15-A, July 27, 1958 and subsequent Bulletin No. 15-A (corrected) August 4, 1958.

2. That Mrs. K. Callaway be assigned to the position of Timekeeper RT-13, District Accounting Office, Palestine, and be compensated for all monetary loss sustained retroactive to July 21, 1958.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employee involved in this dispute are respectively carrier and employee 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 and under date of March 9, 1960, the parties jointly 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 24th day of March, 1960.