

Award No. 9380

Docket No. CL-9001

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

NEW YORK CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that:

1. The Carrier violates the Scope and other rules of the Clerks' Rules Agreement, effective September 1, 1922, when it assigned work covered by that Agreement to employees of the Belle Taxi Company who are not subject to its terms, and

2. That the work of carrying messages, shipping orders, bills of lading, freight bills, reports, statements, etc. between Belle, West Virginia and Dickinson, West Virginia Station, including the carrying of such records between E. I. DuPont, The Diamond Alkali Company and Belle or Dickinson Stations shall now be classified, rated and assigned in accordance with rules of the Clerks' Agreement to employees subject thereto, and

3. That Mr. E. L. Stanley and other employees adversely affected who are designated by the Brotherhood to participate in this claim holding positions covered by the scope of the Clerks' Rules Agreement shall be compensated for wage losses sustained by reason of scheduled work being farmed out by contract retroactive to January 3, 1955.

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 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 March 31, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 29th day April 1960.