

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD COMPANY**

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

1. Carrier violated and continues to violate the Clerks' Rules Agreement when on July 31, 1957 it abolished Position No. 573, Clerk at Vermillion, South Dakota, and assigned the remaining duties to the Agent, an employee outside the scope and application of that Agreement.
2. Carrier shall return the work performed by the occupant of that position to the employees covered by the Clerks' Rules Agreement.
3. Carrier shall compensate Employee R. A. Hoff, the occupant of Position No. 573 at the time of abolishment, for eight (8) hours at the rate of pay of Position No. 573 for August 1, 1957 and each subsequent date that the violation continues.

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 April 28, 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
Secretary

Dated at Chicago, Illinois this 11th day of May, 1960.