

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**FLORIDA EAST COAST RAILWAY COMPANY,
J. Turner Butler and William A. Hallowes, Trustees**

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

1. The Carrier violated and continues to violate provisions of the current agreement, as hereinafter stipulated, when effective February 12, 1959 the Carrier unilaterally removed from the scope of the Clerks' Agreement and assigned to the excepted position of Chief Clerk work connected with the sale of salvage freight at West Palm Beach, and

2. That the work here involved shall now be restored to the scope and operation of the Clerks' Agreement and assigned to employes in accordance with the rules thereof, and

3. That Cashier Lillian R. McIntosh and/or her successor or successors in interest be compensated for two hours at the pro rata rate of her assignment beginning on March 24, 1959 and on each subsequent date thereafter that the Chief Clerk performs work connected with the handling and sale of salvage freight previously performed by incumbent of position of Assistant Cashier before the latter position was abolished on January 27, 1959.

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

That the Carrier and Employee involved in this dispute are respectively carrier and employe 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 October 26, 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.

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By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 1st day of December, 1960.