

Award No. 10269  
Docket No. CL-11717

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

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

**THE BELT RAILWAY COMPANY OF CHICAGO**

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

(a) Carrier violated the provisions of the current Clerk's Agreement on June 1, 5, 6, 7, 9, 12, 17, 19, 23, 25, 26, 27, 28, 29, July 1, 2 and 3, 1958, when it required or permitted a Yardmaster and an Assistant Trainmaster, employees not covered by the Clerks' Agreement, to perform routine clerical work at its District Yard, South Chicago, Illinois; and

(b) That available furloughed clerical employees, S. Campbell, H. Simpson, B. Phillips and E. Mayer and those regularly assigned clerical employees who normally would have been used in their absence, namely, Verl West, M. Steed, et al., be compensated for a day's pay at the applicable pro rata rate for each day said violation occurred.

**NOTE:** Reparations to be determined by joint check of payrolls and other necessary Carrier records.

**FINDINGS:** The Third Division of the Adjustment Board, 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 was waived by the parties and under date of December 6, 1961, 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 19th day of December 1961.