

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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:

1. That Carrier violated provisions of the parties agreement when on June 2, 1958 it established Clerk Position #153 at its 87th Street Station at a rate of pay of \$18.48 per day, or \$1.01 per day below the rate of pay for positions of similar kind or class.

2. That correct rate of \$19.49 per day be established for the position retroactive to June 2, 1958.

3. That the letter received from the Manager Labor Relations, Mr. J. C. Sidor, dated December 26, 1958, postmarked 9:30 P. M., January 2, 1959 and delivered January 3, 1959, denying the employees' claim as set forth in Sections 1 and 2 hereof was untimely and did not meet Carrier's obligation as set forth in Section (a) of Article V of the August 21, 1954 National Agreement to which both Carrier and the Brotherhood are parties and as a consequence thereof, the claim as presented must be allowed.

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 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 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.