NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION
(Supplemental)

———

PARTIES TO DISPUTE:

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

CHICAGO & EASTERN ILLINOIS RAILROAD CO.

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes on the Chicago & Eastern Illinois Railroad Company that:

(1) Carrier violated the current Clerks' Agreement when they authorized and permitted Clerk T. Cellini to illegally exercise displacement rights to a position occupied by Clerk W. F. Phelps on March 14, 1957.

(2) Claimant Phelps be allowed the difference in weekly straight time salary of $3.78 plus time and one-half rate of the position he worked on Thursdays and Fridays, the rest days of his former position together with the straight time rate of pay of the position he is not permitted to work on Mondays and Tuesdays which was $16.63 per day.

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 employe 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 has been held and concluded. Under date of December 1, 1961, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further coneration by the Division which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION
(Supplemental)

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 26th day of January 1962.