

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY

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

(1) That Carrier violated rules of the current Agreement between the parties when effective August 12, 1957, it abolished a Check Clerk position and assigned all work in connection therewith to the Freight House Foreman, Seniority District 31, and concurrently therewith assigned a substantial portion of the theretofore regular assigned work of said foreman to the Cashier, Assistant Cashier and a Utility Clerk employed in the Evansville Local Freight Office, Seniority District 30 employees:

(2) That Check Clerk, Geo. Traub, whose position was abolished as a result of this violation be allowed Checker's rate of pay for each day from August 12, 1957 until the violation is corrected; and

(3) That Cashier Denby Toole, Assistant Cashier Geo. Brothers and Utility Clerk James Howington together with their respective vacation relief employees each be allowed 3 hours punitive rate of pay at the rate of Warehouse Foreman, present rate \$18.83 per day, or their own rate if higher, for each day beginning August 12, 1957, until this violation is corrected.

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 1, 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 31st day of January, 1962.