

Award No. 778
Docket No. CL-814

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

SOUTHERN PACIFIC COMPANY (Pacific Lines)

STATEMENT OF CLAIM: "1. That Carrier is and has been violating agreement rules in abolishing regularly established and assigned positions of Trucker, Stower and Loader, subsequently requiring and assigning positions of Trucker, Stower and Loader to work regularly for periods of less than eight consecutive hours daily (meal period excluded) for which compensation was allowed on basis of actual time worked at pro rata rates; 2. That Gus Brinas, Erle R. McCan, Reuben H. Howeth, Clarence C. Gerard, James B. Pope, Makel Faraclos, Edward R. Booker, Alvin E. Coleman, and other unnamed employes should be compensated for each work day since July 13, 1934, on the basis of pro rata rates from initial starting time until end of the eight hour period, excluding meal period, and on the basis of time and one-half rates from end of eight hour period until final release, less amount already received as compensation for this service."

FINDINGS: The Third Division of the Adjustment Board finds that:

The dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party.

No hearing thereon has been had, and under date of December 1, 1938 the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 9th day of December, 1938.