

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**CHICAGO GREAT WESTERN RAILROAD COMPANY
INCLUDING SOUTH ST. PAUL TERMINAL**

(Patrick H. Joyce and Luther M. Walter, Trustees)

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

1. The incumbents of the three check-clerk positions on the South St. Paul Terminal at Hoffman Avenue, South St. Paul, Minnesota, be compensated on a daily basis of \$6.4392 per day and at rate of time and one-half for Holidays worked since August 15, 1939 instead of \$164.20 per month.

2. The check clerk at the South St. Paul Terminal Yard Office be compensated since August 15, 1939 on a daily basis of \$5.5765 per day for days assigned to work at the Terminal Yard Office and \$6.4392 per day on the days of each week when relieving the three check-clerks at Hoffman Avenue and at the rate of time and one-half for Holidays worked instead of \$142.20 per month."

EMPLOYES' STATEMENT OF FACTS: "Written agreement, effective July 1, 1937 extended the existing Clerks' Agreement covering rules and working conditions of the Chicago Great Western Clerks and Others to include the clerical and related classes of employes on the South St. Paul Terminal, which agreement governing hours of service and working conditions of employes was revised and effective August 15, 1939.

"The three check-clerk positions at Hoffman Avenue are daily and the incumbents of those positions are each assigned one regular day off duty in seven and work their assignments on Holidays unless such Holidays falls on their day of rest.

"The check-clerk at the Terminal Yard Office, prior and since August 15, 1939, is assigned and required to relieve the three check-clerks at Hoffman Avenue on their regular days off duty and such Holidays that may fall on the Hoffman Avenue Clerks' day of rest.

"Claim that the above employes be compensated in accordance to the rules of the agreement have been filed with the Carrier and handled on appeal to the highest designated officer of the Carrier who has declined said claims."

CARRIER'S STATEMENT OF FACTS: "The dispute in this case concerns certain clerks formerly employed by the St. Paul Bridge and Terminal Railway Company, said property being acquired by the Chicago Great

There is in evidence an agreement between the parties bearing effective date of August 15, 1939.

OPINION OF BOARD: From the entire record of this case, the Board holds that by the memorandum agreement of July 1, 1937, the parties agreed to extend the agreement covering rules and working conditions of Chicago Great Western Clerks and others, effective February 1, 1922, to include the positions here involved in the South Saint Paul Terminal; that the agreement of February 1, 1922 was revised effective August 15, 1939, and that under the provisions thereof, the claim of the petitioner should be sustained.

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 the employes involved in this dispute are respectively carrier and employes 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; and

That the agreement of February 1, 1922, as revised and amended, effective August 15, 1939, governs and the claim will be sustained.

AWARD

Claim (1 and 2) sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 30th day of September, 1940.

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**INTERPRETATION NO. 1 TO AWARD NO. 1189
DOCKET CL-1281**

NAME OF ORGANIZATION: Brotherhood of Railway and Steamship Clerks,
Freight Handlers, Express and Station Employees

NAME OF CARRIER: Chicago Great Western Railroad Company
Including South St. Paul Terminal
(Patrick H. Joyce and Luther M. Walter, Trustees)

Upon application of the representatives of the employees involved in the above award, requesting that this Division interpret the same in the light of the dispute between the parties as to its meaning and application, as provided for in Section 3, First (m), of the Railway Labor Act, approved June 21, 1934, the following interpretation is made:

Award No. 1189 sustained claim 1 for daily rate of \$6.4392 for three check-clerk positions at Hoffman Ave., South St. Paul and claim 2 for daily rate of \$5.5765 for position of check-clerk at South St. Paul Terminal Yard Office and for daily rate of \$6.4392 on the days of each week when relieving the three check-clerks at Hoffman Ave., effective August 15, 1939. Claims 1 and 2 were sustained as submitted; the rates specified are, therefore, the daily rates for the positions involved.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 1st day of April, 1941,