

Award No. 3048
Docket No. CL-2905

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Edward F. Carter, Referee

PARTIES TO DISPUTE:

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

SOUTHERN PACIFIC COMPANY—PACIFIC LINES

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

(a) Carrier violated and continues to violate the rules of our current agreement when it used, and continues to use, employees not covered by our agreement to deliver material from storehouses to shops and roundhouses at Ogden, Utah.

(b) Employees named below, and on the dates cited, be compensated on "call" basis, or two hours at time and one-half the rate of their assigned position, except laborers, for whom we claim two hours on call basis at deliveryman's rate of pay:

August 9-10-11-12-13, 1943 (5:30 P.M. to 12:00 Midnight):

Storekeeper M. J. O'Hare
Section Stockman F. Smith
Section Stockman T. Van Drimmelen
Stenographer T. Raynor
"A" Helper Sam Goodwin
Truck Driver Edwin Urry
Crane Operator C. C. Johnson
Caboose Supplyman V. P. Kopinski
"B" Helper L. E. Lutz
"B" Helper J. D. Topping
Crane Helper Jesse Briseno
Store Deliveryman Grace M. Bell
Store Deliveryman Adella K. Ellis
Store Deliveryman Dora Phipps
Store Deliveryman A. DeCaria
Laborer M. W. Malan
Laborer Adona Call
Laborer Don J. Stout
Laborer F. W. Hart
Laborer S. Lenzi

August 9-10-11-12-13, 1943 (7:30 A.M. to 5:30 P.M.):

Store Attendant Alma G. Ellis
Store Attendant F. L. Horspool

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 employe involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act, as approved June 21, 1934;

That the parties waived oral hearing thereon;

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 complainant party; and

Under date of December 5, 1945, the parties jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson,
Secretary

Dated at Chicago, Illinois, this 20th day of December, 1945.