

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

LAKE SUPERIOR TERMINAL & TRANSFER RAILWAY CO.

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the Carrier violated the Clerks' Agreement:

1. When it failed and refused to properly compensate Marjorie Kern, Utility Clerk and Stenographer in the Superintendent's Office in Superior, Wisconsin for work performed on the position of Auditor's Clerk and Stenographer, rate \$8.18 per day for each day involved during the period from June 25th to July 9th, 1945, inclusive.

2. That Clerk, Marjorie Kern shall be compensated at the rate of the respective position for each day required to perform the higher rated work and be paid the difference between the wage she should have received and her regular rate of \$5.12 per day which was allowed.

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 employees involved in this dispute are respectively carrier and employees 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 complainant party; and

That hearing thereon has been held but not concluded, and under date of January 28, 1947 the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 7th day of February, 1947.