

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) The Carrier violated rules of the current Agreement with the Brotherhood of Railway Clerks by requiring Mr. Oliver Ross, an employe carried on Seniority Roster of the Chief Mechanical Officer, District No. 14, and Mrs. Veronica Spero, an employe carried on Seniority Roster of the Master Mechanic, Pueblo Division, District No. 23, to perform work belonging to employes carried on Store Department Seniority Roster No. 32.

(2) Mr. Oliver Ross shall be paid an additional forty hours' pay at the rate of time and one-half his assigned rate of pay for time during the period from December 28, 1954 to January 10, 1955, when he was required to suspend work on his regular position on Seniority Roster No. 14 to perform work which belonged to Store Department employes on Seniority Roster No. 32.

(3) Mrs. Veronica Spero shall be paid an additional nine and one-half hours' pay at the rate of time and one-half her assigned rate of pay for time on January 7 and 10, 1955, when she was required to suspend work on her regular position on Seniority Roster No. 23, to perform work which belonged to Store Department employes on Seniority Roster No. 32.

(4) Mr. J. A. Witherwax, Clerk at Burnham Store Department, Roster No. 32, shall be paid an additional forty-nine and one-half hours' pay at the rate of time and one-half Sectional Storekeeper's rate of pay for time during the period from December 28, 1954 to January 10, 1955, when above named employes carried on other Seniority Rosters were used to perform Store Department work.

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 carrier and 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;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon has been held and concluded. Under date of October 24, 1956, the parties jointly advised the Secretary of the Third Division of their desire to withdraw 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 2nd day of November, 1956.