

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY (Coast Lines)**

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

(a) Carrier violated the rules of the Clerks' Agreement at Needles, California, when it assigned certain clerical and related work to employees not covered by the Agreement rules; and,

(b) All such work shall now be assigned to clerical employees holding seniority rights to the work in question; and,

(c) Mr. O. A. Park shall be compensated for two (2) hours at the punitive rate of his regular assignment for each occasion Telegraphers are required and permitted to perform this work on each Saturday and Sunday, commencing April 14, 1955, and continuing until this violation of Agreement rules is corrected; and,

(d) Mr. F. B. McShan shall be compensated for two (2) hours at the punitive rate of his regular assignment for each occasion Telegraphers are required and permitted to perform this work on each Monday and Tuesday, commencing April 14, 1955, and continuing until this violation of Agreement rules is corrected; and,

(e) Mr. C. V. Kelly shall be compensated for two (2) hours at the punitive rate of his regular assignment for each occasion Telegraphers are required and permitted to perform this work on each Friday, commencing April 14, 1955, and continuing until this violation of Agreement rules is corrected; and,

(f) Mr. K. E. Cunningham shall be compensated for two (2) hours at punitive rate of his regular assignment for each occasion Telegraphers are required and permitted to perform this work on each Wednesday and Thursday, commencing April 14, 1955 and continuing until this violation of Agreement rules is corrected.

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 and concluded. Under date of January 10, 1957, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of 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 25th day of February, 1957.