

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

WALTER A. ROHRBACH

READING COMPANY

STATEMENT OF CLAIM: (1) That Carrier violated and continues to violate the Rules of the Clerks' Agreement, when, on December 1, 1957, it specifically assigned duties to Clerk Rohrbach which duties, prior to December 1, 1957, were performed by Clerk Barth at rate of \$19.880 per day. (NEGOTIATED LIST 3 POSITION).

(2) That Clerk Rohrbach be compensated at rate of \$19.880 per day effective December 2, 1957, and that he continue to receive this rate of pay, plus any and all wage increases subsequent to December 1, 1957 as agreed upon by Carrier and Brotherhood of Railway and Steamship Clerks.

(3) That Carrier required Clerk Rohrbach to perform duties not included in assignments dated December 1, 1957.

(4) That Clerk Rohrbach be compensated an extra day's pay at rate of \$19.880 per day, effective December 2, 1957, and that he continue to receive an extra day's pay for each and every day he is required to perform duties not included in assignments dated December 1, 1957, plus any and all wage increases subsequent to December 1, 1957, as agreed upon by Carrier and Brotherhood of Railway and Steamship Clerks.

OPINION OF BOARD: On the facts of record before us, the Division concurs with the interpretation placed on the governing Agreement by the parties thereto and therefore holds that an affirmative award is not warranted on the claim asserted herein.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing thereon;

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; and

That the Carrier did not violate the Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 11th day of December, 1958.