

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

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

(1) The Carrier violated and continues to violate the terms of the currently effective Agreement between the parties when, on various dates May 15 to June 1, 1957, it removed from the scope of the Clerks' Agreement work which for as long as there is any record has been assigned to and performed by occupants of clerical positions in the Mechanical Department of the Carrier and assigned such work to Car Inspectors and Lead Carmen, who are covered by an Agreement between the Carrier and another craft, and to Car Foremen.

(2) Carl A. Nemnich, Car Clerk, Kansas City, Missouri, and/or the senior available extra Clerk in the Mechanical Department Northern Division Seniority district, now be allowed eight hours' pay at the rate of the former Car Clerk Position No. 40, June 1, 1957 until corrected, except rest days and holidays; and eight hours at overtime rate for each Saturday, Sunday and holiday, June 1, 1957 until corrected.

(3) K. W. Recknagel, Car Clerk, Enid, Oklahoma, now be allowed one hour per day overtime for each date of his regular assignment for which there are claims on record June 1, 1957 until corrected, and eight hours per day at overtime rate for each Saturday and Sunday, rest days, and holidays for which there are claims on record, June 1, 1957 until corrected.

(4) D. T. Anderson, who relieved Car Clerk at Enid, Oklahoma, now be allowed one hour per day at overtime rate for each work day of his assignment, November 4 to November 22, 1957, and eight hours per day overtime for each rest day, November 9, 10, 23 and 24, 1957.

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 20, 1959, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 18th day of November, 1959.