

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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PARTIES TO DISPUTE:

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

ST. LOUIS — SAN FRANCISCO RAILWAY COMPANY

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

CLAIM I:

(1) The Carrier violated the terms of the currently effective Agreement between the parties when on April 10, 17, and 23, 1958 the Agent at Baxter Springs, Kansas, *performed the duties regularly assigned to and performed by the Cashier at that point during the Cashier's meal period.*

(2) H. C. Lockard, Cashier at Baxter Springs, now be allowed one hour's overtime on each of the above dates.

CLAIM II:

(1) The Carrier violated the terms of the currently effective Agreement between the parties when effective February 20, 1958 it abolished the 3:00 P. M. to 11:00 P. M. Yard Clerk Position at Baxter Springs and assigned the work thereof to others who hold no seniority or other rights under the Clerks' Agreement.

(2) B. N. Barlow, now be allowed one day's *pro rata* pay for each working day of the Yard Clerk assignment, February 21 through March 23, April 22 through April 24, April 26 through April 30, May 1 through May 5, June 23 through June 27, July 3 and 4.

(3) J. L. Spencer now be allowed one day's pay for each working date of the Yard Clerk position, March 24 through April 21, and May 6 through June 3.

(4) J. D. Totman now be allowed one day's pay for each working date of the Yard Clerk Position on April 25 and June 4 through June 22.

(5) B. F. Piotrowski now be allowed one day's pay at the rate of the Yard Clerk Position, June 28, 29, July 1, 2, and each working day, July 5 through July 20.

**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 January 18, 1960, 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 24th day of March, 1960.