

Award No. 9820
Docket No. CL-10916

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

GULF, COLORADO AND SANTA FE RAILWAY CO.

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

(a) Carrier violated current Clerks' Agreement in the Local Freight Office at Dallas, Texas, when, on or about August 12, 1957 it required or permitted the Chief Clerk to perform routine clerical work; and,

(b) All such work shall now be returned to the scope and operation of the Clerks' Agreement; and,

(c) P. C. Young shall now be paid three (3) hours at time and one-half at the rate of his position for each day (*), in addition to any payment already received, from August 12th forward until violation is corrected; and,

(d) E. L. Hancock shall now be paid one (1) hour per day at time and one-half the rate of his position (*), in addition to any payment already received, from August 12th forward until violation is corrected; and,

(e) B. W. Eaton shall now be paid two (2) hours at time and one-half rate the rate of his position for each day (*), in addition to any payment already received, from September 30th forward until violation is corrected.

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

That the Carrier and Employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934;

(*) To be determined by joint check of the Carrier's records.

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 was waived by the parties and under date of January 24, 1961, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 8th day of February, 1961.