

Award No. 2799

Docket No. CL-2827

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

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

(a) Carrier disregarded Rule 11, paragraph (b) of the Schedule for Clerks effective August 1, 1929, and instructions shown on face of Form 1714, when issuing clerical bulletin No. 608, Form 1714, dated December 10, 1942, advertising clerical position in the office at Delmar Passenger Station, St. Louis, Missouri, failing to give the position a title to conform to the basic and more responsible duties assigned, designating position simply as "Clerk."

(b) Carrier disregarded provisions of Rule 2, paragraph (i) of the Schedule for Clerks, in the establishment of a daily rate of \$5.58, as stipulated on bulletin notice dated December 10, 1942, and failing to adjust rate of position, effective April 1, 1943, to conform to daily rates established for positions with assigned duties of similar kind and class, and equal responsibilities, Mediation Agreement No. A-1332 effective April 1, 1943.

(c) Clerical position No. 7, now designated as "Clerk" in the ticket office at Delmar Station be re-bulletined with title of Ticket Clerk and adjustment made in daily rate effective April 1, 1943, from \$5.58 to \$6.64 per day, the daily rate which was established by Mediation Agreement effective April 1, 1943, for work of similar kind or class in the Delmar Station Ticket Office. The occupant or occupants of position No. 7 to be compensated for the basic difference of \$1.06 per day, as of April 1, 1943.

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 employe involved in this dispute are respectively carrier and employe 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 25, 1945, the parties jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 8th day of February, 1945.