

Award No. 7530

Docket No. CL-8351

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) That Carrier violated the Clerks' current Agreement when it required Miss Mabel Miller, Comptometer Operator-Clerk, office of Superintendent Transportation, Tyler, Texas, to assume specifically assigned duties on May 12, 1949, without adjusting the rate of pay of her position, commensurate with that being paid on the other two Comptometer positions performing the same type and class of work.

(2) That the rate of pay for the position titled Comptometer Operator-Clerk should be increased from \$10.53 per day to rate of \$10.96 per day, these being the rates in effect on date of the change in duties. The increase should be effective retroactive with the date of change, i.e., May 12, 1949, subject to subsequent rate increases, and Miss Mabel Miller, the occupant of this position, and her successors, shall be paid the difference in rate of pay, beginning with May 12, 1949, and continuing until the violation is corrected.

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 employee involved in this dispute are respectively carrier and employee 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 November 7, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of December, 1956.