

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) That all Group 3 employees at the Transfer Shed and the Old House at Pine Bluff, Arkansas, who were improperly paid for extra work performed by them be now paid at the proper rate of pay of the position on which they were worked, effective as of the date this practice was started, which, we feel, would date back to, or prior to 1948.

(2) That requisite records of Carrier be made available and joint check made in order to determine names and dates these Group 3 employees were improperly compensated for the class of work they performed, and the number of hours so worked on each such dates, separated between pro rata and penalty time, and total time computed at proper rate and Claimants listed in Part 1 of this claim paid the difference between what they were paid and what they should have been paid at the prevailing rate, such check dating back to 1948 or prior thereto.

(3) That, in instances where it cannot be definitely determined the name of the Claimant entitled to remunerative redress, this Committee to designate the Claimant. This amount to be determined from the difference between what is found due individual employees as reflected by the records and the total or overall amount found due from check of force assignment or complement of gangs during the above period.

(4) That Carrier immediately commence carrying these Group 3 employees on the time roll at the proper classification and proper rate of pay, in accordance with provisions of Rule 39 of our Agreement.

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 employees involved in this dispute are respectively carrier and employees 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.