

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees on the Missouri Pacific Railroad, that the Carrier violated time and related rules.

1. When, on December 18, 19, 20, 26 and 27, 1954, it removed the clerical work of selling tickets at Camp Chaffee, Arkansas, out from under the scope and operation of the Clerks' Agreement and utilized Traffic Department representatives, persons outside of the Agreement, to perform said work, and failed and refused and continued to refuse to permit clerical employees of the Southern Kansas—Central Division, Class "A", Station and Yards seniority district and roster to perform the clerical work here involved and that has been customarily and traditionally performed by Clerks for years, which Carrier action is in contradiction to and in violation of the spirit and intent of a proper application of the Agreement, Rules 1, 2, 3, over-time and related rules.

2. Claimants shall be compensated by the Carrier as follows:

M. C. Walton	—	December 18, 1954, 4 hours @ \$2.91675	\$11.67	
		December 19, 1954, 4 hours @ \$2.91675	\$11.67	
				\$23.34
O. J. Smith	—	December 18, 1954, 4 hours @ \$2.715		10.86
G. S. Titsworth	—	December 19, 1954, 4 hours @ \$2.715		10.86
M. B. Falls	—	December 20, 1954, 5 hours @ \$2.715	\$13.58	
		December 26, 1954, 4 hours @ \$2.715	10.86	
		December 27, 1954, 3 hours @ \$2.715	8.15	
				32.59
				\$77.65

Amount of all claims listed

account Carrier's action in violation of the 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 the Carrier and the 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 complainant party; and

That hearing thereon has been held and concluded. Under date of October 19, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 12th day of December, 1956.