

Award No. 8446

Docket No. CL-10407

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

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

(1) The Carrier violated the terms of the currently effective Agreement between the parties when at the close of work on February 15, 1957 it abolished the position of Counter Clerk in the office of the Agent at Seventh Street Station, St. Louis, Missouri, a Group 1 position, and assigned a part of the duties thereof to the Waybill Assorter Position, a Group 2 position, resulting in the assignment of more than four hours per day of clerical work to the Group 2 position.

(2) The Waybill Assorter Position No. 35, Rate \$13.64 per day, now be reclassified to that of Group 1 position at the rate of pay of the former Counter Clerk position No. 10, Rate \$16.26 per day, and C. R. Jackson, occupant of the Counter Clerk position, now be paid the difference between the rate of the Counter Clerk position and the rate of the Waybill Assorter position for each day, February 16, 1957, so long as he occupied the Waybill Assorter Position.

FINDINGS: The Third Division of the Adjustment Board, 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 the complainant party; and

That hearing thereon was waived by the parties and under date of July 30, 1958 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.

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 10th day of September, 1958.