

Award No. 8472

Docket No. CL-9626

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: This is a claim of the System Committee of the Brotherhood that:

(a) The rules of the Clerks' Agreement were violated when the Roundhouse Clerks at Oakland, Stockton, Oroville and Portola, California, and Elko, Nevada were required, effective January 1, 1956, to perform duties previously performed by employees in the accounting section in the office of the General Mechanical Officer at Sacramento, California.

(b) Each of the Roundhouse Clerks at the points herein involved (namely, C. E. Maxwell, J. E. Hightower, W. R. Obenshain, W. B. Long, M. L. Elliott, J. J. McNally, Jr., E. B. Dick, J. W. Weddell, H. J. Winn, C. E. Rowe, H. J. Wallock, G. E. Morton and J. B. Clark) and/or their successors, are entitled to and shall now be compensated at the Accountant's rate of \$17.65 per day for each day of the violation beginning January 1, 1956, and continuing until the violation is corrected, in addition to the compensation they are entitled to each day as Roundhouse Clerks.

NOTE: The names of the employees herein involved, together with compensation due each, to be determined from a joint check of Carrier's payrolls and other records.

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. Under date of September 2, 1958, 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 16th day of September, 1958.