

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 on February 1, 1958, it abolished the second shift Yard Clerk position, changed the hours of the first shift Telegrapher to coincide with the hours previously attached to the Yard Clerk position, and assigned the duties thereof to the Telegrapher, who held no seniority or other rights under the Clerks' Agreement.

(2) F. N. Canada and/or the senior available extra clerical employe on the seniority district on any day Mr. Canada is not available (identity to be obtained from the payrolls and other records of the Carrier), now be paid a day's pay retroactive with February 1, 1958, and continuing Monday through Saturday until the Yard Clerk Position is restored and all of the work previously assigned to such position is returned to the employes covered by the Scope Rule of the Clerks' 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 employe involved in this dispute are respectively carrier and employe 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 January 18, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 24th day of March, 1960.