

Award No. 9282

Docket No. CL-10678

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD — Gulf District

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

1. Rule 51 (b) and (c) of the Clerks' Agreement was violated by the Carrier when on May 19 and 20, 1958, certain timekeeping payroll work performed manually in the Superintendents' offices at DeQuincy, Louisiana, Kingsville, Texas and Palestine, Texas, was transferred to the Machine Bureau in the Disbursements and Roadway and Transportation Section of the District Accounting Office, Palestine, Texas, without negotiation for the assignment of work and rates of pay.

2. That all employees affected by the abolishment of Payroll Deduction Clerk No. 265, Palestine, Texas; General Clerk No. 267, Palestine, Texas; Comptometer Operator No. 242, Palestine, Texas; Asst. Timekeeper No. 1399, Kingsville, Texas, and Asst. Timekeeper No. 2381, DeQuincy, Louisiana, namely, V. B. Fitzgerald, V. W. Waldrum, A. N. May, Gertrude Altizer and Eva French, be compensated for all monetary losses sustained from date positions were abolished until an agreement has been reached regarding assignment of work and rates of pay, account having to displace on lesser paying positions. Losses to be determined by joint check of Carrier's payrolls and other necessary records.

3. That all employees displaced as result of occupants of the positions abolished exercising displacement rights be compensated for all monetary losses sustained account having to displace on lesser paying positions; namely, A. V. Murray, V. S. Faulk, F. A. Darling, D. O. Smith, R. C. Brooks, Kathleen Calloway, C. W. Dobbs, Lois Green, Alma Reese, Margaret Mansur, Jessie Jones, Nelda C. Wall. Losses to be determined by joint check of Carrier's payrolls and other necessary records.

4. That occupants of Machine Operator positions D-6, D-7 and D-17, be paid the rate of \$20.30 per day; namely, W. M. Woodard,

H. E. Pickel and L. L. George and/or their successor or successors, if any, effective May 19, 1958, and each day thereafter until an agreement has been reached regarding assignment of work and rate of pay.

5. That occupants of Key Punch Machine positions D-11, D-12, D-13, D-14, D-15 and D-16; namely, L. Beane, V. Garner, M. Mansur, B. Hodges, R. Brooks, O. Loveless and/or their successor or successors, if any, be paid \$18.09 per day effective May 19, 1958, and each day thereafter until an agreement has been reached regarding assignment of work and rates of pay.

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 March 9, 1960, 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: S. H. Schulty
Executive Secretary

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