

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: This is a claim of the System Committee of the Brotherhood that the Carrier has violated and continues to violate the rules of the Clerks' Agreement by:

(a) Depriving the Roundhouse Clerk at Winnemucca, Nevada and at Wendover, Utah of the work involved in selecting the names of Enginemen to be called and advising Yard Clerks of the names so selected at the time the call is actually placed, and that

(b) The Roundhouse Clerks at Winnemucca, Nevada and Wendover, Utah (Mrs. Ruth Smith at Winnemucca and Mr. A. K. Callister at Wendover), and/or their reliefs or successors are entitled to and shall be paid a minimum call on each occasion that Yard Clerks have selected the names of Enginemen to be called, beginning June 16, 1955, and continuing until the violation is corrected.

(c) Permitting and/or requiring Yard Clerks at Winnemucca, Nevada and Wendover, Utah to select the names of Enginemen to be called for road or yard service, and

(d) That Yard Clerks at Winnemucca, Nevada and Wendover, Utah (Messrs. T. E. Lewis, W. E. Brown, D. G. Michaels and V. Martin at Winnemucca and Miss Esther Witt and Messrs. F. K. Byrne, A. J. Norgaard and J. M. Vlasak at Wendover) and/or their reliefs or successors are entitled to and shall now be paid a minimum call at the Roundhouse Clerk's rate on each occasion that they have selected the names of Enginemen to be called during their respective tours of duty, beginning June 16, 1955 and continuing until the violation is corrected.

NOTE: The time and dates of the violations here involved, together with the names of the occupants of positions of Roundhouse and Yard Clerks at Winnemucca, Nevada and Wendover, Utah on such dates, to be determined by a joint check of the Carrier's 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 employes involved in this dispute are respectively carrier and employes 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 February 23, 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.