

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 Carrier has violated and continues to violate the rules of the Clerks' Agreement in arranging for the performance of routine clerical work in connection with the business of the Carrier at South San Francisco, California with the A. T. and S. F. Railroad or an employe thereof.

(b) The work now performed by Mr. George Gigon for Western Pacific Railroad Company, including but not limited to the signing of bills of lading, tagging of cars, collecting of freight charges, securing of receipts on delivery orders, and securing of weight certificates, be assigned to employes within the scope of the Western Pacific Clerks' Agreement.

(c) Mr. A. Skootsky, Industry Clerk at the San Francisco Freight Station, be compensated for 8 hours at the overtime rate of his regular assignment, for each work day beginning July 3, 1955, and continuing until the work here involved is properly assigned to clerical employes within the scope and operation of our clerical agreement.

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.