

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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**PARTIES TO DISPUTE:**

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

**WABASH RAILROAD COMPANY**

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

(1) Carrier violated and continues to violate the Schedule for Clerks in requiring or permitting Telegraphers and General Yardmaster at Springfield, Illinois, to perform duties of Yard Clerk, outside the assigned hours of Yard Clerk, and which duties are assigned to Yard Clerks J. E. Davis and W. L. Johnston and performed by them during daily hours of their assignment.

(2) Clerk J. E. Davis shall be compensated at overtime rate on the basis of a call to the extent of the number of calls for which claims are made a matter of record with the Carrier, for each work day of his assigned work week Monday through Friday, effective with November 14, 1955 and subsequent thereto. This claim to continue in force and effect until the violation has been corrected.

(3) Relief Clerk W. L. Johnston shall be compensated at overtime rate on the basis of a call, to the extent of the number of calls for which claims are made a matter of record with the Carrier, for each of two days, Saturday and Sunday of each work week effective with November 12, 1955 and subsequent thereto. This claim to continue in force and effect until the violation has been corrected.

**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 the carrier and employe involved in this dispute are respectively carrier and employe within the meaning 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 June 10, 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 23rd day of June, 1960.