

Award No. 9469

Docket No. CL-10017

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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 the rules of the Schedule for Clerks effective May 1, 1953, when on or about March 13, 1956, the work of making cards on west bound trains at North Kansas City Yards, was removed from seven day assignments of Machine, Bill, Yard and Train Clerks, whose basic daily rate of pay was \$16.42 and assigned that work to position No. 33, a seven day Yard Clerk assignment with basic rate of \$15.88 per day.

(2) W. E. Happy, regularly assigned to Yard Clerk position No. 33 when higher rated duties of Machine, Bill, Yard and Train Clerk were assigned to position No. 33, paying 54 cents less per day, and Clerks who may subsequently be assigned, including relief clerks assigned to relieve on Position No. 33 two days per week, shall be compensated effective March 14, 1956 for the difference of 54 cents per day in rate of Machine, Bill, Yard and Train Clerk, and Yard Clerk position. Claim for the 54 cents per day differential in basic rate to continue in effect until such time as violation is 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.