

Award No. 9663

Docket No. CL-10361

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE GULF, COLORADO AND SANTA FE RAILWAY
COMPANY**

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

(a) Carrier violated the current Clerks' Agreement at Cleburne, Texas, March 24, 1957, when it failed to compensate Clerks B. L. Alexander, D. L. Hudspeth and C. A. Kolls at the rate of \$17.41 per day for service performed that date; and,

(b) B. L. Alexander shall now be paid the difference between rate of \$16.24 and \$17.41; D. L. Hudspeth the difference between rate of \$16.88 and \$17.41 and C. A. Kolls the difference between rate of \$15.69 and \$17.41 for all time worked March 24, 1957.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employee involved in this dispute are respectively carrier and employe 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 November 15, 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.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schuly
Executive Secretary

Dated at Chicago, Illinois, this 1st day of December, 1960.