

Award No. 9800

Docket No. CL-11366

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

THE PANHANDLE AND SANTA FE RAILWAY COMPANY

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

(a) Carrier violates and continues to violate the provisions of the Clerks' Agreement at Amarillo, Texas, when it abolishes the General Clerks' position with the rate of \$18.55 per day and assigned work off the abolished position to a Roundhouse Clerks' position with a rate of \$18.24 per day without paying the higher rate of pay; and,

(b) M. L. Montgomery and/or other occupants of first trick Roundhouse Clerks Position No. 6035, shall now be paid an additional thirty-one (31) cents per day or the difference between the rate of the Roundhouse Clerks Position and the rate of the General Clerks Position each day Monday through Friday of each week commencing on November 11, 1957, and continuing until the violation of the Agreement rules is corrected; and,

(c) L. L. Hilton and/or other occupants of rest day relief position 9005 or others performing rest day relief on Roundhouse Clerks Position, shall now be paid an additional thirty-one (31) cents per day or the difference between the rate of the Roundhouse Clerks position and the rate of the General Clerks position commencing on November 11, 1957, and continuing until the violation of the Agreement rules is corrected.

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

That the Carrier and Employees involved in this dispute are respectively carrier and employee 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 December 21, 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 30th day of January, 1961.