

Award No. 9878
Docket No. CL-9255

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Martin I. Rose, Referee

PARTIES TO DISPUTE:

CHICAGO GREAT WESTERN RAILWAY COMPANY

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

STATEMENT OF CLAIM: (12) Claim in behalf of Mrs. Marian Keller for five (5) days pay at the rate of \$13.54 per day, the rate of National Cash Machine Operator, for the period March 30, to April 3, 1953, inclusive and for the difference in rate of that position and the position of Calculating Machine Operator, \$13.50 per day, the position on which Mrs. Keller is now assigned, from April 7, 1953, until the date Mrs. Keller is assigned to the position of National Cash Machine Operator—Carrier's file K-113, Organization's Case G-517.

OPINION OF BOARD: This case is the same as in Award 9867. For the reasons stated in that award, this claim should also be dismissed.

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 the Employee 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; and

That the claim is barred by Rule 40 (d) of the Agreement.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary.

Dated at Chicago, Illinois, this 23rd day of March, 1961.