

Award No. 2544

Docket No. MW-2495

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
THE COLORADO AND SOUTHERN RAILWAY COMPANY**

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

- (a) John A. Falk, Section Foreman, was incorrectly paid on February 8, 1942. On February 8, 1942 Foreman Falk was called at 6:15 A. M. to render emergency service. He worked until 4:45 P. M. and was paid only from 7:00 A. M. February 8, a Sunday, was outside of his regular weekly assignment.
- (b) Section Foreman John A. Falk was incorrectly paid on February 23, 1942. February 23 was recognized and observed as a legal holiday (Washington's Birthday). Falk was called at 6:30 A. M., worked until 3:30 P. M. and was paid only from 7:30 A. M.
- (c) Section Foreman John A. Falk was incorrectly paid on March 1, 1942. On March 1 Foreman Falk was called at 1:25 P. M., continued to work until 11:10 P. M., and was paid only from 1:55 P. M. March 1, a Sunday, was outside of his regular weekly assignment.
- (d) That, in addition to compensation he has already received, Section Foreman John A. Falk be paid for 45 minutes on February 8, for one hour on February 23, and for 30 minutes on March 1, all at the rate of time and one-half.

**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board jointly by the parties;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of April 20, 1944 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 26th day of April, 1944.