

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

**DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that C. A. Nielson, Section Laborer, Pueblo, Colorado, shall under the application of Schedule Rule 11-G be paid for a call at section laborer's rate for each day from December 26, 1942 up to the present time, except during the period from January 16, 1945 to March 1, 1945, in payment for call to protect crossing during the passage of a Missouri Pacific passenger train.

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 employe 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 has been held and concluded. Under date of August 6, 1946, the parties jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, which request is hereby granted.

A W A R D

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 3rd day of September, 1946.