

Award No. 3856

Docket No. PC-3897

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

ORDER OF RAILWAY CONDUCTORS, PULLMAN SYSTEM

THE PULLMAN COMPANY

STATEMENT OF CLAIM: The Order of Railway Conductors, Pullman System, claims for and on behalf of the extra conductors of the Pittsburgh District:

(a) That The Pullman Company violated Rule 38 of the Agreement between The Pullman Company and its Conductors when, under date of March 31, 1947, Conductor E. F. Philpot, Cincinnati District, was assigned to Pullman cars occupied by the Spike Jones Orchestra, reporting at 10:50 A.M., Wheeling, West Virginia, for a movement enroute to Parkersburg, West Virginia, and that the extra conductor of the Pittsburgh District, entitled to this assignment, be compensated for a deadhead trip, Pittsburgh to Wheeling, and for a service trip Wheeling to Parkersburg, and for a deadhead trip, Parkersburg to Pittsburgh, and,

(b) That The Pullman Company violated Rule 38 of the Agreement when under date of March 31, 1947, Conductor E. F. Philpot, Cincinnati District, was assigned to a movement reporting in Parkersburg at 11:30 P.M. enroute to Clarksburg, arriving at 7:30 A.M. April 1, 1947, and that the extra conductor of the Pittsburgh District, who was entitled to this trip, be compensated for a deadhead trip, Pittsburgh to Parkersburg, and for a service trip, Parkersburg to Clarksburg, and for a deadhead trip, Clarksburg to Pittsburgh, and,

(c) That The Pullman Company violated Rule 38 of the Agreement when under date of April 2, 1947, Conductor E. F. Philpot, Cincinnati District, was assigned to a movement reporting in Clarksburg 7:00 A.M. April 2, 1947, for a service movement to Huntington, West Virginia, scheduled to arrive at 6:20 P.M., and that the extra conductor of the Pittsburgh District entitled to this assignment be compensated for a deadhead trip, Pittsburgh to Clarksburg, and for a service trip, Clarksburg to Huntington, and for a deadhead trip, Huntington to Pittsburgh.

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 Employees involved in this dispute are respectively Carrier and Employees 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 complainant party; and

That hearing thereon has been held but not concluded. Under date of April 5, 1948 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, 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 13th day of April, 1948.