

**Award No. 6806**

**Docket No. TD-7059**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**GRAND TRUNK WESTERN RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the American Train Dispatchers Association that:

(a) The Grand Trunk Western Railroad Company, sometimes hereinafter referred to as "the Carrier," failed to comply with the requirements of Article 2(a) and (b), Article 3(a)-2 and (b) and Article 6(b) of the currently effective Agreement between the parties when it failed and refused to properly compensate Train Dispatcher H. K. Mann of its Battle Creek, Michigan train dispatching office at the time and one-half rate for service as assistant chief train dispatcher in excess of eight hours and during his assigned rest days on August 7 and 8, 1953, and at the time and one-half rate for overtime service as assistant chief train dispatcher on August 9 and 10, 1953, and in improperly computing the daily rate on a basis of a 313 divisor instead of the 261 divisor required by Article 6(b).

(b) The Carrier shall now pay to Train Dispatcher H. K. Mann the difference between what it did pay him for service on the aforementioned dates and the amounts to which he was entitled for service as assistant chief train dispatcher on his assigned rest days in accordance with Article 3(a)-2 and (b) and for overtime service in accordance with Article 2(a) and (b), all such payments to be computed in accordance with the provisions of Article 6(b) applied to the monthly rate for assistant chief train dispatchers.

**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 and concluded. Under date of October 26, 1954, 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: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 5th day of November, 1954.