

Award No. 7300

Docket No. DC-7682

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

UNITED TRANSPORT SERVICE EMPLOYEES

THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: That the Baltimore and Ohio Railroad Company did not properly compensate employes assigned under Circular No. 4007, Working Schedule No. 111, effective September 26, 1954—Supplement No. 5—Philadelphia—Pimlico Race Train. November 3, 1954.

Claim is further that the employes involved be now compensated the difference between what they received and what they would have received under the proper application of Rule 8(e).

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 Employes involved in this dispute are respectively Carrier and Employes 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 March 19, 1956, the Petitioner addressed a formal communication to the Secretary of the Third Division, concurred in by the Respondent, requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

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

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 20th day of April, 1956.