

Award No. 8746
Docket No. SG-10459

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA

ILLINOIS CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: *Claim of the General Committee of the Brotherhood of Railroad Signalmen of America on the Illinois Central Railroad Company that:*

(a) The Carrier violated the Signalmen's Agreement, as amended, (particularly Article 7 (a) of the National Vacation Agreement and Interpretations thereto) when it failed and refused to compensate Signal Maintainer Steve Akai, Jr. the difference between the daily compensation paid Relief Maintainer Jerry Gadzinski for February 22, 1957, a legal holiday, and the amount paid Signal Maintainer Steve Akai for that day while on vacation.

(b) The Carrier now compensate claimant Steve Akai, Jr., the difference between the straight-time rate received and the two and one-half time rate received by Relief Signal Maintainer Jerry Gadzinski for service rendered on the claimant's regularly assigned signal maintenance position for the holiday on February 22, 1957.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing was waived and under date of February 13, 1959, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 26th day of February, 1959.