

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

THE NEW YORK CENTRAL RAILROAD, Eastern District
(Except Boston and Albany Division)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the New York Central Railroad Company (Buffalo and East) that:

(a) The Carrier violated the Signal Inspector-Signal Foreman Agreement, effective March 16, 1953, as well as the Signal Inspector-Signal Foreman Agreement that became effective November 16, 1957, when, beginning November 1, 1957, it failed and/or declined to allow Signal Foremen on the Signal Engineer's construction forces the daily expense allowance of \$3.00 for each day worked.

(b) The Carrier compensate Signal Foreman M. A. Simko at the rate of \$3.00 for each day worked for the daily expense allowance, beginning November 1, 1957, and continuing until there is an amendment to the present agreement signifying a change concerning this matter.

(c) The Carrier compensate all other Signal Foremen on the Signal Engineer's construction forces the \$3.00 daily expense allowance, beginning November 1, 1957.

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 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 the complainant party; and

That hearing was waived under date of June 30, 1960, the complainant party 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: S. H. Schulty
Executive Secretary**

Dated at Chicago, Illinois, this 21st day of July, 1960.