

Award No. 9743
Docket No. SG-11958

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

CHICAGO AND NORTH WESTERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago and North Western Railway Company that:

(a) The Carrier violated and continues to violate the Signalmen's Agreement beginning April 1, 1959, when it abolished the Leading Signal Maintainer's position, Second Trick, Proviso Retarding Yard, Central Seniority District, and re-established the position as a Signal Maintainer.

(b) The position of Leading Signal Maintainer, Second Trick, Proviso Retarding Yard, Central Seniority District, be re-established.

(c) Mr. W. G. Schindler assigned to Second Trick at Proviso Retarding Yard April 1, 1959, as a Signal Maintainer be compensated the difference between the Signal Maintainer's rate of pay and that of Leading Signal Maintainer rate of pay for April 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, and 15, 1959, and to any employee assigned to this position subsequent to April 15, 1959.

FINDINGS: The Third Division of the Adjustment Board, after giving 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 and under date of December 5, 1960, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

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AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 15th day of December, 1960.