

Award No. 10088
Docket No. SG-9873

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION
(Supplemental)

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA
CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen of America on the Chicago, Rock Island and Pacific Railroad Company:

(a) That the Carrier violated Article 7(a) of the National Vacation Agreement, as amended and supplemented, which is a part of the current Signalmen's Agreement, when it failed and/or refused to compensate Signal Maintainer J. L. Gilbert at 2½ times his pro rata rate of pay for July 4, 1956.

(b) That since the Carrier compensated Signal Maintainer J. L. Gilbert at the straight-time rate of pay for July 4, 1956, that it now be required to compensate claimant Gilbert at one and one-half times his pro rata rate of pay, which would give him full compensation as he would have received had he not been on vacation.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the Carrier and Employee involved in this dispute are respectively carrier and employe 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 thereon has been held and concluded. Under date of September 21, 1961, 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

Claim dismissed.

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

ATTEST: S. H. Schuly
Secretary

Dated at Chicago, Illinois this 28th day of September, 1961.