

Award No. 10135
Docket No. SG-9993

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) The Carrier violated the Signalmen's Agreement (particularly paragraphs (b) and (m) of the Scope Rule, Rules 12, 19, and others) on September 4, 5, 7, 10, 11, 12, and 13, 1956, when it failed or refused to call and use Signal Maintainer Wesley Cappel, with headquarters at Mokena, Illinois, for overtime work of one hour on each of the above-listed dates to perform the necessary signal work of protecting the crossing protection devices, removing track bonds, parkway outlet box (bootleg) wires, and the performance of other signal work on appurtenances and appliances that were located on his assigned territory.

(b) Signal Maintainer Wesley Cappel now be paid one (1) hour at his respective punitive rate of pay as compensation for the services he was deprived of and which work was assigned to other employees, on each of the dates listed in part (a) of this claim, totaling eight (8) hours.

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 employe 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 October 19, 1961, the parties jointly addressed a formal communication to the Secretary

of the Third Division 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 27th day of October, 1961.