

Award No. 10146

Docket No. SG-11239

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY

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

(a) The Carrier violated the current Signalmen's Agreement, particularly the seniority rules, bulletin rules, and Rule 30, when it assigned a junior employe, Signal Helper J. D. Jennings, to a position of Assistant Signalman at Little Rock, Arkansas, in place of assigning the senior employe, Signal Helper J. W. Konrath.

(b) The Carrier now pay Mr. J. W. Konrath the difference between the pay of a Signal Helper and the step-rate of an Assistant Signalman, which Mr. Konrath is entitled to under Rule 31 as he has had previous experience on this Carrier as an Assistant Signalman, for the amount of hours on the dates shown below:

January 7, 1958 — 8 hours regular time
January 8, 1958 — 8 hours regular time
January 9, 1958 — 8 hours regular time
January 10, 1958 — 8 hours regular time
January 13, 1958 — 8 hours regular time
January 14, 1958 — 8 hours regular time
January 15, 1958 — 8 hours regular time
January 16, 1958 — 8 hours regular time
January 17, 1958 — 8 hours regular time
January 20, 1958 — 8 hours regular time
January 21, 1958 — 8 hours regular time
January 22, 1958 — 8 hours regular time
January 23, 1958 — 8 hours regular time
January 24, 1958 — 8 hours regular time

(c) The Carrier also pay Mr. J. W. Konrath for seven hours riding time on January 6, 1958, and four hours riding time on January 7, 1958, in addition to the following listed expenses:

January 6, 1958 — \$2.09
January 7, 1958 — \$6.06
January 8, 1958 — \$6.26
January 9, 1958 — \$6.41
January 10, 1958 — \$3.36
January 13, 1958 — \$6.16
January 14, 1958 — \$6.31
January 15, 1958 — \$6.00
January 16, 1958 — \$6.36
January 17, 1958 — \$6.15
January 20, 1958 — \$6.31
January 21, 1958 — \$6.31
January 22, 1958 — \$6.25
January 23, 1958 — \$6.20
January 24, 1958 — \$3.41

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and Employee involved in this dispute are respectively carrier and employee 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 October 19, 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. Schulty
Executive Secretary

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