

Award No. 10183

Docket No. SG-11423

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

UNION PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad Company that:

(a) The Carrier violated the current Signalmen's Agreement, particularly Rule 9(b), when it called and used another Interlocking Repairman on the St. Johns Interlocking District on Sunday, March 2, 1958, and did not call and use the regular assignee, Interlocking Repairman Leo E. Whorlow.

(b) The Carrier now pay Interlocking Repairman Leo E. Whorlow for a call of two and two-thirds (2-2/3) hours at his punitive rate of pay account of the violation cited in part (a) of this claim.

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 November 2, 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
Secretary

Dated at Chicago, Illinois this 13th day of November, 1961.