

Award No. 10208

Docket No. SG-10130

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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 that:

(a) The Carrier violated the Signalmen's Agreement, particularly Rules 1, 25, and 88, when it assigned Signal Testman's work to Signal Maintainer C. D. Cutshall, with headquarters at Meade, Kansas, for 8 hours on November 1, 6, 9, 23, 28, and 29, 1957, for 4 hours on November 2, 8, and 14, 1957, for 8 hours on December 5 and 6, 1957, and for 4 hours on December 3 and 14, 1957, and refused to compensate him at the Testman's pro rata rate of pay.

(b) The Carrier now compensate Signal Maintainer C. D. Cutshall the difference between his Maintainer's rate of pay and that of Testman for the hours listed on each of the dates 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 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 thereon has been held and concluded. Under date of November 17, 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 30th day of November 1961.