

Award No. 10219

Docket No. SG-9821

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 on the Chicago, Rock Island and Pacific Railroad Company that:

(a) The Carrier violated and continues to violate Rule 77 of the Signalmen's Agreement when it fails to provide the Signal Maintainer's headquarters located at Fort Worth, Texas, with the proper facilities and equipment as provided for in Rule 77.

(b) The Carrier now compensate E. T. Large, Signal Maintainer, with assigned headquarters at Fort Worth, Texas, at the punitive rate of pay for a total of thirty minutes per day on the following dates: May 21, 22, 23, 24, 25, 28, 29, 31, and June 1, 4, 5, 6, 7, 8, 11, 12, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 1956, and all subsequent dates until Rule 77 is complied with.

(c) The Carrier compensate all subsequent assignees to the Signal Maintainer's position with headquarters at Fort Worth, Texas, the same amount of time at punitive rate as set forth in part (b) of this claim for each working day, until such time as Rule 77 is complied with.

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 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 1st day of Dec. 1961.