

Award No. 10653

Docket No. SG-12446

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

UNION RAILWAY COMPANY (Memphis)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Union Railway Company (Memphis):

On behalf of Signalmen C. V. Fleming and D. R. Ryles for twelve hours' overtime pay each account one Assistant B & B Foreman and six B & B Laborers, who hold no seniority or other rights under the Signalmen's Agreement, digging ditch from Chelsea Street flasher light case to track on Union Railway Company, Memphis, Tennessee, for the purpose of signalmen putting wire in for track circuits for Chelsea Street flasher light on May 15, 1959.

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 thereon was waived and under date of June 23, 1962, the parties jointly addressed 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 29th day of June 1962.