

Award No. 10664

Docket No. SG-12457

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 C. V. Fleming, Signalman, Union Railway Company, account signal work performed on August 20, 1959, by J. E. McKenzie, Composite Mechanic Foreman, working under the Brotherhood of Maintenance of Way Agreement, an employe of a different craft or class. The signal work performed consisted of checking circuits furnishing controls from Union Railway, to work Frisco crossing lights and gates, at Neptune, Lauderdale, and Wellington Streets on the Union Railway Company, Memphis, Tennessee. The amount of time claimed by Signalman Fleming is eight (8) hours at the straight time rate. (Carrier's File: VB-S 225-330)

FINDINGS: The Third Division of the Adjustment Board, 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 was waived and under date of June 23, 1962, 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 29th day of June, 1962.