

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

THE CINCINNATI UNION TERMINAL COMPANY

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

(a) The Carrier violated the current Signalmen's Agreement, as amended, particularly Rules 10, 16, and the Seniority, Bulletin and Assignment Rules, when, on November 24, 1960, it blanked the North End signal maintenance positions and then required the South End Maintainer to go on the North End territory on two different occasions on that date to correct signal trouble without making any attempt to call the North End Maintainer.

(b) The Carrier should now be required to compensate North End Maintainer T. W. Springfield for two calls under Rule 17 because the Carrier failed to call him to correct the signal trouble on his assigned territory on November 24, 1960.

(c) The Carrier also be required to compensate South End Signal Maintainer M. W. Green at his respective overtime rate of pay for the amount of time that he was required to work off his assigned territory on November 24, 1960.

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 the parties addressed formal communications 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
Secretary

Dated at Chicago, Illinois, this 29th day of October 1962.