

Award No. 2120
Docket No. MW-2229

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
ILLINOIS CENTRAL RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of Employes' Committee:

First, that I. H. Copeland, of Fulton, Kentucky, was incorrectly paid for time worked in advance of and continuous with his regular eight-hour assignment on sixty-two days between November 8, 1939 and April 26, 1940, inclusive.

Second, that I. H. Copeland shall be paid the time and one-half rate for time worked in excess of eight hours on the specified dates.

Third, that I. H. Copeland shall receive the difference in pay between what he received at the pro rata rate on the specified dates and what he would have received at the time and one-half rate if Rule 38 of the Agreement had been properly applied.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board jointly by the parties.

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of March 9, 1943 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

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 31st day of March, 1943.