

Award No. 2710
Docket No. TD-2880

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION
THE ALABAMA GREAT SOUTHERN RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that The Alabama Great Southern Railroad Company violated Article II (a) of the Train Dispatchers' Agreement effective September 1, 1929, and Rules 3-(a) and 3-(b) of the Mediation Agreement dated March 14, 1942, (made a part of the Agreement), when it failed and refused to pay Dispatcher J. E. Kirtley, Birmingham, Alabama office, for one minimum day, eight (8) hours, at rate of time and one-half for service performed starting 7:00 P. M., Thursday, May 11, 1944, which was four (4) hours prior to the expiration of his regular weekly forty-eight (48) hour rest day period.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That no hearing thereon has been held and under date of November 20, 1944, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing 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 1st day of December, 1944.