

**Award Number 3128**

**Docket Number MW-3225**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES**

**DENVER AND RIO GRANDE WESTERN RAILROAD**

**STATEMENT OF CLAIM:** Claim of the System Committee of the Brotherhood that E. A. Clyde, B&B mechanic, shall be paid five (5) hours at overtime rate on November 14, 1944 at his regular B&B mechanic's rate on account of that a junior employe was called for overtime service on that date.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and the 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 complainant party; and

That hearing thereon has been held and concluded. Under date of February 13, 1946, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, 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 21st day of February, 1946.

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