

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**AMERICAN TRAIN DISPATCHERS ASSOCIATION
THE NASHVILLE, CHATTANOOGA & ST. LOUIS RAILWAY**

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that:

(a) The Nashville, Chattanooga & St. Louis Railway failed to comply with the provisions of Article 3-(e) of the current agreement between the Carrier and its train dispatchers represented by the American Train Dispatchers Association, effective April 1, 1945, when on June 28, 1946, it combined the position of Assistant Chief Dispatcher with the assigned territory of the trick train dispatcher position operating the Centralized Traffic Control machine, South End Atlanta Division, Hills Park, Georgia.

(b) The Nashville, Chattanooga & St. Louis Railway shall now compensate Train Dispatcher C. S. Cox, who was available to perform service on the aforementioned trick train dispatcher position by reason of being absent from duty on the rest day assigned to his position, in the amount of one day's pay at time and one-half, trick train dispatcher rate as provided for in the second sentence of Article 3-(a) which he could have earned had the Carrier complied with the provisions of Article 3-(e).

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

That the carrier and the employees involved in this dispute are respectively carrier and employees 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 November 20, 1947 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 24th day of November, 1947.