

Award No. 6805
Docket No. TD-6865

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION

GRAND TRUNK WESTERN RAILROAD COMPANY

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

(a) The Grand Trunk Western Railroad Company, hereinafter referred to as "the Carrier," acted contrary to the provisions of Article 6(b) of the currently effective Agreement between the parties to this dispute when it failed and refused and continued to fail and refuse to compute the daily rate of pay of Train Dispatcher H. L. Brim of its Durand, Michigan train dispatching office and pay him in accordance therewith for rest day relief service on the position of chief train dispatcher commencing December 1, 1952, and for each subsequent day on which he continued to perform such service.

(b) The Carrier shall now pay to Train Dispatcher H. L. Brim the difference between what he was paid and the amounts due him at chief train dispatcher rate computed in accordance with the provisions of Article 6(b) for rest day relief service on the position of chief train dispatcher commencing December 1, 1952, and for each day thereafter on which such service was performed during the continuance of the violation herein claimed.

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 Employes involved in this dispute are respectively Carrier and Employes 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 October 26, 1954, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 5th day of November, 1954.