

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railroad Signalmen of America on the Chicago, Burlington and Quincy Railroad Company that:

1. (a) The Carrier violated and continues to violate the Signalmen's Agreement effective July 1, 1952, when it failed and refused to properly assign and bulletin positions covered by the Agreement in accordance with the rules and provisions of the agreement.
(b) The positions covered by the provisions of the working agreement be properly bulletined and assigned in accordance with the rules and provisions of the agreement.
2. (a) That H. R. Borger be compensated the difference in pay received on position as Leading Signalman and what he would have received had he been properly assigned the position of Signal Foreman, Signal Gang No. 139, in accordance with the provisions of the agreement and under his bid on Bulletin No. 22 and moved to the position during the time specified in the agreement.
(b) That H. R. Borger's seniority and rate of pay as Signal Foreman start April 12, 1954, and that he be compensated for his losses until such time as he is placed on his Signal Foreman's position.
3. (a) That R. L. Miller be compensated the difference in pay received on position as Leading Signalman and what he would have received had the Carrier properly bulletined position of Signal Foreman and the position had been assigned in accordance with the provisions of the agreement.
(b) That R. L. Miller's seniority and rate of pay as Signal Foreman date from May 21, 1954, and continue until such time as the Signal Foreman's position is properly bulletined and assigned in accordance with the provisions of the agreement.
4. (a) That L. D. Green be compensated the difference in pay received on position he worked as Leading Signalman and what he would have received had he been properly assigned the Signal Foreman's position advertised in Bulletin No. 43, in accordance with the provisions of the agreement.

(b) That L. D. Green's seniority and rate of pay as Signal Foreman date from June 21, 1954, and continue until such time as the Signal Foreman's position is properly assigned to him in accordance with the provisions of the agreement.

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 the complainant party; and

That hearing thereon has not been held. Under date of May 11, 1956, the Petitioner 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

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

**ATTEST: A. Ivan Tummon
Executive Secretary**

Dated at Chicago, Illinois, this 7th day of June, 1956.