

Award No. 8167
Docket No. PC-9189

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD
COMPANY**

STATEMENT OF CLAIM: The Order of Railway Conductors and Brakemen, Pullman System, claims for and in behalf of Conductor D. R. Hockenbury, Milwaukee District, that:

1. Rules 24 and 52 of the Agreement between the Milwaukee Road and its Parlor Car Conductors were violated by the Company on October 10, 1955, when Milwaukee Train No. 100 operated Minneapolis to Portage without the services of a Parlor Car Conductor.

2. The Memorandum of Agreement between the parties, signed at Chicago on April 5, 1955, was violated on November 15, 1955, when the Company refused to compensate regularly-assigned Conductor Hockenbury who had been designated by the Local Chairman for payment in connection with the violation of the Agreement which occurred on October 10th.

We now ask that Conductor Hockenbury be paid for the trip as 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 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 October 9, 1957 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 16th day of December, 1957.