

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

SOUTHERN PACIFIC COMPANY (Pacific Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the Agreement beginning on or about December 1, 1955 when it required Section Foreman L. M. Gonzales to assume responsibilities and perform duties and work of an Extra Gang Foreman and failed to compensate him therefor at the Extra Gang Foreman's rate of pay.

(2) Mr. L. M. Gonzales now be paid the difference between what he was paid at the Section Foreman's rate and what he should have been paid at the Extra Gang Foreman's rate beginning with sixty days prior to March 29, 1956 and continuing until the violation referred to in Part (1) of this claim is corrected and/or discontinued."

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 been held and concluded. Under date of September 14, 1959, the parties jointly addressed a formal communication to the Acting 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: F. P. Morse
Acting Secretary

Dated at Chicago, Illinois, this 15th day of September, 1959.