

NATIONAL RAILROAD ADJUSTMENT BOARD

**THIRD DIVISION
(Supplemental)**

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION

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

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

(a) The Chicago, Milwaukee, St. Paul and Pacific Railroad Company hereinafter referred to as "the Carrier" violated and continues to violate the currently effective agreement between the parties to this dispute, particularly Rule 1-(a) and Rule 1-(b) by requiring or permitting employes not covered by the agreement to be responsible for the movement of trains against the current of traffic between Sioux City, Iowa, and Shore Acres.

(b) The Carrier shall now compensate Extra Train Dispatcher F. W. Forney one day's pay at pro rata rate for Tuesday, February 26; Wednesday, February 27; Thursday, February 28; Tuesday, March 5; Thursday, March 7; Monday, March 18; and Thursday, March 21, 1957—total seven (7) days.

(c) The Carrier shall be required to return the primary responsibility for the movement of trains against the current of traffic between Sioux City, Iowa, and Shore Acres to the train dispatching craft or class in accordance with the requirements of the agreement.

FINDINGS: The Carrier and Employes involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon was waived. Under date of August 1, 1961 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 6th day of September, 1961.