

Award No. 10142

Docket No. SG-9736

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA
CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen of America on the Chicago, Rock Island and Pacific Railroad Company that:

(a) The Carrier violated the current Signalmen's Agreement, when it failed to properly compensate in accordance with Rule 58 H. E. Clark during the time he was withheld from the Leading Signalman's position he had obtained on Bulletin No. 10, dated June 5, 1956.

(b) The Carrier now pay H. E. Clark one dollar (\$1.00) per day penalty from June 21, 1956 to July 5, 1956, in accordance with Rule 58.

(c) The Carrier now pay H. E. Clark the difference in the rate of pay he was paid as Signalman and that of Leading Signalman from June 21, 1956 until such date he was actually assigned to the Leading Signalman's position he had acquired on Bulletin No. 10.

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 employe involved in this dispute are respectively carrier and employe 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 the complainant party; and

That hearing thereon has been held and concluded. Under date of October 19, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 27th day of October, 1961.