

Award No. 10220

Docket No. SG-10045

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

(Supplemental)

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 Signalmen's Agreement, particularly Rules 1, 25, and 88, when it assigned Signal Testman's work to Signal Maintainer V. K. Bevan, with headquarters at Peabody, Kansas, for 8 hours on July 19, 20, 23, 26, and 27, 1956, August 9, 13, 14, 21, and 27, 1956, and September 10, 1956, and refused to compensate him at the Testman's pro rata rate of pay.

(b) The Carrier now compensate Signal Maintainer V. K. Bevan the difference between his Maintainer's rate of pay and that of Testman for 8 hours on each of the dates listed in part (a) of this claim.

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 November 17, 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 1st day of Dec. 1961.