

Award No. 10221

Docket No. SG-10046

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 and 25, when it assigned Signal Testman's work to Signal Maintainers W. R. Nitzsche, with headquarters at Turon, Kans., for 8 hours on September 26 and 28, 1956; F. J. Armer, with headquarters at Guymon, Okla., for 8 hours on September 17 and 20, 1956; and J. J. Stokes, with headquarters at Tucumcari, N.M., for 8 hours on October 9, 10, and 11, 1956, and refused to compensate them at the Testman's pro rata rate of pay.

(b) The Carrier now compensate Signal Maintainers W. R. Nitzsche, F. J. Armer, and J. J. Stokes the difference between their Maintainers' rate of pay and that of Testman of 8 hours on each date 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.