

Award No. 10267
Docket No. SG-11656

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

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

(a) The Carrier violated the current Signalmen's Agreement, particularly Rules 5, 14, and 15, and the seniority rules, when it removed Signal Maintainer J. D. Boots from his bulletined signal maintenance assignment at Albert Lea, Minnesota, and required him to perform maintenance work on the Inver Grove Bridge, a part of the Inver Grove signal maintenance territory, at or near St. Paul, Minnesota, on July 21, 22, 23, 24, and 25, 1958.

(b) The Carrier further violated Article V, Pa. 1(a) of the August 21, 1954 National Agreement when it failed to give any reasons for disallowing the claim in its letter of September 22, 1958, to General Chairman R. A. Watkins.

(c) The Carrier therefore be required to pay Signal Maintainer J. D. Boots for 8 hours on July 21, 8 hours on July 22, 8 hours on July 23, 8 hours on July 24, and 8 hours on July 25, 1958; a total of 40 hours at \$2.516 per hour; total money claimed \$100.64; this amount to be paid in addition to the amount he may have been paid during the above period. This claim is filed on a continuing basis for as long as the above violations of the agreement rules continue.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and Employee involved in this dispute are respectively carrier and employee 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 was waived by the parties and under date of December 14, 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 19th day of December 1961.