NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

UNION RAILWAY COMPANY (Memphis)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Union Railway Company (Memphis):

In behalf of C. V. Fleming, Signalman, Union Railway, for signal work performed on September 24 and 25, 1959, by J. E. McKenzie, Composite Mechanic Foreman, working under the Maintenance of Way Agreement, an employe of a different craft or class. The Composite Mechanic Foreman worked with Missouri Pacific Signal Supervisor, Mr. Pugh, and Signalman D. R. Ryles, at Neptune, Lauderdale and Wellington Streets, on the Union Railway, Memphis, Tennessee, checking circuits furnishing controls from Union Railway to work Frisco crossing lights and gates for the purpose of said lights and gates being put in service September 24 and 25, 1959. The amount of time claimed by Signalman Fleming is eight (8) hours at the straight-time rate on September 24 and three (3) hours at the straight-time rate on September 25, 1959, a total of eleven (11) hours.

FINDINGS: The Third Division of the Adjustment Board, 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 was waived and under date of June 23, 1962, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 29th day of June 1962.