

Award No. 10655

Docket No. SG-12448

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):

On behalf of Signalman C. V. Fleming for two hours' pro rata pay each day, June 10, 12, 16, 17, and 18, 1959, account J. E. McKenzie, Composite Mechanic Foreman working under the Brotherhood of Maintenance of Way Agreement, working with the Missouri Pacific signal gang consisting of four men, (Signal Foreman, Signalman, Assistant Signalman, and Signal Helper) delivering signal material from storeroom on Union Railway Company and from signal maintainer station located at East end of Harshan Bridge to Neptune, Lauderdale, and Wellington Streets, to be used immediately on the Union Railway Company for the purpose of furnishing control to Frisco crossing lights and gates at Neptune and Lauderdale Streets on Broadway, Memphis, Tennessee; and for two hours' pro rata pay for June 18, 1959, account J. A. Williams, Composite Mechanic working under the Brotherhood of Maintenance of Way Agreement, delivering lag screws from signal maintainer station at East end of Harshan Bridge to Wellington Street to be used to fasten circuit controllers to ties.

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 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.