

Award No. 10663

Docket No. SG-12456

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 C. V. Fleming and D. R. Ryles, Signalmen, Union Railway Company account J. E. McKenzie, Composite Mechanic Foreman, working under the Brotherhood of Maintenance of Way Agreement, an employe of a different craft or class, and two signal employes of the Missouri Pacific Railroad Company who have no rights on the Union Railway Company making insulation resistance tests on signal wiring, Aulon signals, and street crossing lights, Union Railway Company, Memphis, Tennessee, on July 14 and 15, 1959. Time claimed for C. V. Fleming, eight (8) hours at pro rata rate and four hours at time and one-half for each day, July 14 and 15, 1959, a total of sixteen hours at pro rata rate and eight hours at the time and one-half rate. Time claimed for D. R. Ryles, twelve (12) hours at time and one-half for each day, Tuesday, July 14, 1959, and Wednesday, July 15, 1959, a total of twenty-four (24) hours at time and one-half. (Carrier's File: VB-S 225-329)

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

That the Carrier and Employes involved in this dispute are respectively carrier and employes 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.