

Award No. 10685

Docket No. CL-10064

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

(Supplemental)

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(1) Carrier violated rules of the Clerks' Agreement when they denied Stevedore Elmer Jackson, Evansville, Indiana Freight House, the rights accrued to him under the protective agreement by denying him the right to return to the service of the carrier after claimant had presented Mr. F. A. Fuchs, Agent, employes' immediate superior, with a certificate from his attending physician that he was recovered from illness to the extent of returning to work; and

(2) Carrier violated rules of our Agreement when they refused to compensate Stevedore Jackson for time required in making two trips to Chicago from Evansville even though both were made under the carrier's instructions;

(3) Claimant Jackson be allowed full compensation for the 14 days lost due to carrier's action set forth in Item 1 above; and

(4) Claimant be allowed eight hours pay under Rule 45 of the current Agreement and punitive rate for 10 hours and 15 minutes for each of the two days he was required to devote that amount of time complying with carrier's instructions in making the two round trips Evansville to Chicago.

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

That the Carrier and the 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; and

That hearing was held on March 11, 1958, and under date of June 27, 1962, the parties 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

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 18th day of July 1962.