

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILROAD SIGNALMEN**  
**THE CINCINNATI UNION TERMINAL COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railroad Signalmen on The Cincinnati Union Terminal Company that:

(a) The Carrier violated the current Signalmen's Agreement, as amended, particularly Rules, 10, 16, and the Seniority, Bulletin and Assignment Rules, when, on November 3, 1960, Signal Maintainer T. W. Springfield and Assistant Signal Maintainer W. K. Hopton were taken from their regular assigned signal maintenance positions to perform work on another signal maintenance territory.

(b) The Carrier now be required to compensate Signal Maintainer M. W. Green and Assistant Signal Maintainer H. E. Turner at their respective overtime rates of pay for an amount of time equal to that spent by Messrs. Springfield and Hopton in performing the work referred to in paragraph (a) above, as the Carrier's action in this instance resulted in Messrs. Springfield and Hopton absorbing overtime that accrues to Messrs. Green and Turner in violation of Rule 10.

(c) The Carrier should now be required to compensate Messrs. Springfield and Hopton at their respective overtime rates of pay for the amount of time that they were required to work off their assigned territory on November 3, 1960, because the Carrier's action in changing them from their regular assigned positions was in violation of Rule 16.

**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 the parties addressed formal communications 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  
Secretary

Dated at Chicago, Illinois, this 29th day of October 1962.