

The Second Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

Parties to Dispute: { United Steelworkers of America, AFL-CIO
{ Lake Terminal Railway Company

Dispute: Claim of Employees:

- (1) On October 1, 1978 at approximately 12:06, Assistant Trainmaster G. Brightbill rerailed Cinder Ladle #31 South of Track 161 and 161 switch. This action is a deliberate violation of Scope Rule 16(d) and Definitions (4) of the controlling agreement.
- (2) As penalty for this violation if it srequested that the Carrier compensate the following named employees eight (8) hours pay at their respective rates, in addition to all other earnings:

P. Guitierrez #627; H. Messer #1478; A. Luciano and R. M. Melendez #1506.

Statement:

The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 24th day of June, 1981.