

Award No. 947

Docket No. 862

2-ACL-MA-'43

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee I. L. Sharfman when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 42, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (MACHINISTS)**

ATLANTIC COAST LINE RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES: 1. That carrier violated the terms of the current working agreement at Rocky Mount, North Carolina, as of August 3, 1942, by—

(a) Employing S. S. Smith who is not a qualified machinist within the meaning of Rule 101.

(b) Assigning Smith to perform work in the machinists' classification in disregard of the provision of Rule 27 (a).

2. That the carrier be ordered to adjust and/or correct the said violations by—

(a) Discontinuing S. S. Smith in the service as a machinist, and

(b) Deleting the name of S. S. Smith from the machinists' seniority roster.

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, a hearing thereon was held, and the Division is now in receipt of request from the employees, to which the carrier consented, that the case be withdrawn.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division**

**ATTEST: J. L. Mindling
Secretary**

Dated at Chicago, Illinois, this 11th day of October, 1943.