

Award No. 1045

Docket No. 989

2-W&LE-CM-'45

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 23, RAILWAY EMPLOYES'
DEPARTMENT, A. F. OF L. (CARMEN)**

THE WHEELING AND LAKE ERIE RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYES: 1. That under the controlling agreement the repair of freight train cars, including the renewal of wheels whether at a shop point or at a one-man point or at points where no carmen are employed, is the work of carmen. (This item of claim withdrawn by consent of both parties without prejudice at hearing before the Division December 6, 1944.)

2. That the carrier is violating the controlling agreement and particularly Rules 61 and 62B, by the assignment of three section men at Wellington, Ohio, to work with Carman Richmond to renew two pair of wheels on N. Y. C. car 818471, March 24, 1944.

3. That the carrier be ordered to refrain from using other than those regularly employed as carmen to perform carmen's work at Wellington, Ohio, except in an unforeseen emergency when any one person may be used to give Carman Richmond a lift or a helping hand on a small, light job.

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form, a hearing thereon was held, and the Division is now in receipt of request from the employees that the case be withdrawn.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 3rd day of January, 1945.