

Award No. 3101
Docket No. 3168
2-B&M-MA-'59

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 18, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Machinists)**

BOSTON AND MAINE RAILROAD

DISPUTE: CLAIM OF EMPLOYEES:

1. That under the provisions of the Vacation Agreement of December 17, 1941, as it has been subsequently amended, George Ethier (deceased) qualified for fifteen (15) days vacation in the calendar year of 1957, based on performance of duties as a Machinist during the year of 1956, and in each of fifteen (15) of such years not necessarily consecutive, and

2. a) That Carrier did not comply with the provisions of Section 5 of Article I of the August 21, 1954, Agreement, by making payment of the allowance for such vacation to the surviving widow of George Ethier, also

b) The Carrier refuses to comply, on demand, with the provisions of Section 5 of Article I of the August 21, 1954, Agreement.

3. Therefore, accordingly, the Carrier be ordered to make payment of the vacation allowance, qualified for by his years of service, to the surviving widow of George Ethier.

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by the above referred to organization in ex parte form and the Division is now in receipt of a request that the case be withdrawn.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **SECOND DIVISION**

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 6th day of February, 1959.