

Award No. 3370
Docket No. 3563
2-DL&W-CM-'59

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 78, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L.-C. I. O. (Carmen)**

**DELAWARE, LACKAWANNA AND WESTERN RAILROAD
COMPANY**

DISPUTE: CLAIM OF EMPLOYEES:

A. The Carrier is and persist in violating the controlling agreement, especially Rules 26 and 100 thereof, by assigning carmen to perform helpers' work on the repair track at East Buffalo, New York.

B. That accordingly, the Carrier be ordered to compensate Carmen Helpers Edward Szymendera, Sr., Chester Jankowski, T. Rymoireczyk and A. Novak, for all time worked by the carmen until this violation is corrected.

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to organization in ex parte form and the Division is now in receipt of a request from the employes that the case be withdrawn.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 16th day of November 1959.