

Award No. 3989
Docket No. 4144
2-P&LE-TWUOA-'62

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**RAILROAD DIVISION, TRANSPORT WORKERS UNION
OF AMERICA, A. F. of L.-C. I. O.**

**THE PITTSBURGH & LAKE ERIE RAILROAD COMPANY AND
THE LAKE ERIE & EASTERN RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYES: On September 5, 1960, Labor Day, the carrier elected to have employees work this day. Instead of using the employees who are regular assigned employees, working Monday through Friday the carrier used the relief men to work this day. This practice is incorrect and the organization requests that the following employees be paid for Labor Day at the rate of pay coming to them on account of relief employees being used to perform work that should have been done by them: Employees as follows: Carmen Newinski, Mulvihill, Marzano, Trout, Cooper, Thompson and Spiecher and Helpers Leschak and Greene.

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form, hearing thereon was not held, and the Division is now in receipt of a request from the employees that the case be withdrawn.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 23rd day of May, 1962.