

Award No. 4309
Docket No. 4442
2-CMStP&P-MA-'63

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 76, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. - C. I. O. (Machinists)**

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company violated the agreement and improperly upgraded machinist helper, George Siegle, to perform machinists work on August 23, 24, 25, 28, 29, 30, 31, and September 1 and 5, 1961.

2. That accordingly, the Chicago, Milwaukee, St. Paul and Pacific Railroad Company be ordered to compensate machinist Joseph Koscik at the applicable machinist time and one-half rate of pay for eight hours for each of the following dates, August 23, 24, 25, 28, 29, 30, 31 and September 1 and 5, 1961.

3. That the Chicago, Milwaukee, St. Paul & Pacific Railroad Company failed and refused to allow the claim as presented after the Shop Superintendent failed to deny the claim within the sixty day time limit.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employees that the case be withdrawn.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 30th day of September, 1963.