

The Second Division consisted of the regular members and in addition Referee Steven Briggs when award was rendered.

Parties to Dispute: (Brotherhood Railway Carmen of the
(United States and Canada
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the time limits of Rule 30 of the controlling Agreement when they did not timely reply to appeal letter dated March 17, 1982 until May 27, 1982.

2. That the Missouri Pacific Railroad Company be ordered to allow claim as presented as per provisions of Rule 30.

3. That the Missouri Pacific Railroad Company violated Rules 117, 119 and 120 of controlling Agreement when they used outside contractors employes to complete clearing wreck by moving derailed cars and loading them into other equipment.

4. That the Missouri Pacific Railroad Company be ordered to compensate Carmen G. W. Ham, M. E. Eldridge, J. E. Sitton, E. A. Warren and L. L. Loehr in the amount of five (5) hours each at the punitive rate of pay.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the Carrier that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 27th day of February, 1985