

Award No. 432

Docket No. 445

2-DL&W-MA-'40

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION No. 78, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (MACHINISTS)**

**THE DELAWARE, LACKAWANNA AND WESTERN
RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYEES: That the following named six running repair employees be paid time and one-half rate for work performed on freight engine No. 1621, within the eight (8) consecutive hours which constituted their 1937 Thanksgiving Day shift assignment, account the work performed thereon not being "absolutely essential to the continuous operation of the railroad" within the meaning of Rule 3 of the agreement governing rules and working conditions:

John Atzinger, machinist.....	4 hours
Adolph Ciesnulec, machinist.....	2 hours
Frank Paul, machinist helper.....	4 hours
A. Van de Vaarst, machinist helper.....	4 hours
Frank Acquaviva, machinist helper.....	4 hours
Leo Keilp, machinist helper.....	2 hours

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to organization in ex parte form, and the Division is now in receipt of request from the employees that the case be withdrawn.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division**

**ATTEST: J. L. Mindling
Secretary**

Dated at Chicago, Illinois, this 28th day of February, 1940.