

Award No. 946

Docket No. 860

2-ACL-MA-'43

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee I. L. Sharfman when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 42, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (MACHINISTS)**

ATLANTIC COAST LINE RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES: 1. That carrier violated the terms of the current working agreement at Rocky Mount, North Carolina, as of August 4, 1942, by—

- (a) Employing L. L. Landin who is not a qualified machinist within the meaning of Rule 101.
- (b) Assigning Landin to perform work in the machinists' classification in disregard of the provisions of Rule 27 (a).

2. That the carrier be ordered to adjust and/or correct the said violations by—

- (a) Discontinuing L. L. Landin in the service as a machinist, and
- (b) Deleting the name of L. L. Landin from the machinists' seniority roster.

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, a hearing thereon was held, and the Division is now in receipt of request from the employees, to which the carrier consented, that the case be withdrawn.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 11th day of October, 1943.