

**Award No. 947**

**Docket No. 862**

**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.

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**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 3, 1942, by—

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

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

- (a) Discontinuing S. S. Smith in the service as a machinist, and
- (b) Deleting the name of S. S. Smith 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and the Division is now in receipt of request from the employees, to which the carrier consented, that the case be withdrawn.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.