

Award No. 1094
Docket No. 1019
2-LV-CM-'45

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 96, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (CARMEN)**

LEHIGH VALLEY RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES: 1. That at Manchester, New York, the carrier violated the provisions of the controlling agreement and thereby damaged 14 carmen on the inspection yard overtime board and 14 carmen on the repair track overtime board who held rights as such in the sub-division of "other carmen" when—

A—The names of 14 set-up carmen helpers were improperly added to the inspection yard overtime board on May 27, 1944, and

B—The name of one set-up carman helper was improperly added to the repair track overtime board on May 27, 1944.

2. That in consideration of the aforesaid, the carrier be ordered to—

A—Distribute, at the time and one-half rate, all time worked in excess of eight hours per day and seven days per week by these 14 set-up carmen helpers among those 14 carmen on the inspection yard overtime board, who have rights as such in the sub-division "other carmen," retroactive to May 27, 1944.

B—Distribute, at the time and one-half rate, all time worked in excess of eight hours per day and seven days per week by this one set-up carman helper, among these 14 carmen on their repair track overtime board, who have rights as such in the sub-division "other carmen," retroactive to May 27, 1944.

C—Remove the names of these set-up carmen helpers from those aforesaid overtime boards.

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form*, a hearing thereon was held, and the Division is now in receipt of request from the employes that the case be withdrawn.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 30th day of July, 1945.