

Award No. 3622
Docket No. 3649
2-P&LE-TWUOA-'61

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

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

PARTIES TO DISPUTE:

**TRANSPORT WORKERS UNION OF AMERICA,
AFL-CIO (Railroad Division)**

**THE PITTSBURGH & LAKE ERIE RAILROAD COMPANY,
AND THE LAKE ERIE AND EASTERN RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYEES:

On December 10, 1958, C. Edowski, Car Repairman was notified that he was furloughed. He then asked the Foreman that he wanted to bump a junior man on the wreck crew. He was told he could not bump the junior man. This is a violation of the agreement Rule 40, paragraph (f) and Rule 39, paragraph (d).

Since the agreement was violated by the carrier the organization requests that C. Edowski be compensated the Carman's rate of pay for all time worked by the junior employe and the days are as follows: Dec. 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 1958.

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hearing thereon was held, and the Division is now in receipt of a joint request from the parties that the case be withdrawn.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION**

**ATTEST: Harry J. Sassaman
Executive Secretary**

Dated at Chicago, Illinois, this 4th day of January, 1961.