

**Award No. 3989**  
**Docket No. 4144**  
**2-P&LE-TWUOA-'62**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

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**PARTIES TO DISPUTE:**

**RAILROAD DIVISION, TRANSPORT WORKERS UNION  
OF AMERICA, A. F. of L. - C. I. O.**

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

**DISPUTE: CLAIM OF EMPLOYEES:** On September 5, 1960, Labor Day, the carrier elected to have employes work this day. Instead of using the employes who are regular assigned employes, working Monday through Friday the carrier used the relief men to work this day. This practice is incorrect and the organization requests that the following employes be paid for Labor Day at the rate of pay coming to them on account of relief employes being used to perform work that should have been done by them: Employes as follows: Carmen Newinski, Mulvihill, Marzano, Trout, Cooper, Thompson and Spiecher and Helpers Leschak and Greene.

**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form, hearing thereon was not held, and the Division is now in receipt of a request from the employes that the case be withdrawn.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 23rd day of May, 1962.