

**Award No. 4039
Docket No. 4255
2-NYC-EW-'62**

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 54, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. - C. I. O. (Electrical Workers)**

NEW YORK CENTRAL RAILROAD, Southern District

DISPUTE: CLAIM OF EMPLOYEES:

1. That under the effective agreement Electrician Harold Niehaus, the claimant, was improperly compensated for service performed during the first week (5-days) of his scheduled 15 days vacation period.

2. That accordingly, the claimant is entitled to be additionally compensated at time and one-half his hourly rate for work performed during the first five work days, namely June 19 to 23, 1960 inclusive, of his assigned scheduled 15 days vacation period of June 19 to July 7, 1960, in accordance with Section 4, Article I of the August 21, 1954 Agreement.

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form, hearing thereon was not held, and the Division is now in receipt of a request from the employes that the case be withdrawn.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 1st day of August 1962.