

Award No. 4634
Docket No. 4739
2-MC-CM-'65

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

SYSTEM FEDERATION NO. 30, RAILWAY EMPLOYEES'
DEPARTMENT A. F. of L.-C. I. O. (Carmen)

THE MONONGAHELA CONNECTING RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES: 1. That under the controlling agreement, Carman John Montana, hereafter referred to as the claimant, was improperly deprived of his seniority rights to work, for work that he was qualified and available to perform, when a junior employe was used to perform the work.

2. That the claimant be compensated for services performed by his junior employe on June 4, 5, 7, 8, 10, 11, 12, 13, 14, 19, 20, 24, 1963, and August 19, 20, 21, 29 and 30, 1963, and that he be recalled to perform all service that he is qualified to perform in the future, in accordance with his seniority rights.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.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: William B. Jones
Chairman

E. J. McDermott
Vice-Chairman

Dated at Chicago, Illinois, this 12th day of February, 1965.