

Award No. 5142

Docket No. 4972

2-N&W-EW-'67

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 16, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Electrical Workers)**

NORFOLK AND WESTERN RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Carrier violated the current agreement when they refused to pay Dumper Operator Lloyd Kimmons five (5) minutes service for starting prior to his regular shift, and three (3) minutes service at the end of his shift, a total of eight (8) minutes at time and one-half, a minimum of one (1) hour pro rata rate of pay per day.

2. That accordingly Dumper Operator Lloyd Kimmons be compensated one (1) hour pay at the pro rata hourly rate of his position for each day for said violation.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the Employees that the case be withdrawn.

AWARD

Claim dismissed.

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

**ATTEST: Charles C. McCarthy
Executive Secretary**

Dated at Chicago, Illinois, this 13th day of April, 1967.