NATIONAL RAILROAD ADJUSTMENT BOARD SECOND DIVISION Award No. 8476 Docket No. 8614 2-S00-CM-'80

Brotherhood Railway Carmen of the United States and Canada

Parties to Dispute:

Soo Line Railroad Company

Dispute: Claim of Employes:

- 1. The Soo Line Railroad violated Rules 28, 94, 97, and 98 of the controlling agreement when on May 24 and May 25, 1978, they secured the services of an outside contractor's equipment and ten (10) men to rerail cars due to derailment of 18 cars of Train #730 at Boyceville, Wisconsin.
- 2. That accordingly the Soo Line Railroad Co. be ordered to compensate the Shoreham Shops, Minnesota Wrecking crew members, namely:

Carmen Donald Neumann Charles Savage Jeffery Gruett Jim Murphy Doug Emerson

in the amount of sixteen and one half $(16\frac{1}{2})$ hours at the Carmen's time and one half rate of pay each.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.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: Executive Secretary National Railroad Adjustment Board

osemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 22nd day of October, 1980.

Form 1