

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
INDIANA HARBOR BELT RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood:

(a) That the Carrier violated the Agreement in effect between itself and the Brotherhood of Maintenance of Way Employes by contracting certain B. & B. work near Franklin Park, Illinois;

(b) That regular B. & B. employes who were adversely affected by that this work was being performed by outsiders shall be reimbursed as follows:

"1. B. & B. mechanic O. G. Cloud shall be paid the difference between what he earned as a B. & B. mechanic and that which he would have earned as a B. & B. Foreman for 12 days on the basis of \$248.96 per month;

2. B. & B. man C. O. Denton shall be paid the difference between what he earned and that which he would have earned as a B. & B. mechanic at the rate of \$1.05 per hour for 12 days;

3. B. & B. man Sherman Herring shall be paid the difference between what he earned and that which he would have earned as a B. & B. mechanic at the rate of 94¢ per hour for 12 days;

4. B. & B. man Carl Koenemann shall be paid the difference between what he earned and that which he would have earned as a B. & B. mechanic at the rate of 94¢ per hour for 12 days."

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That no hearing thereon has been held, and under date of January 6, 1945, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 8th day of January, 1945.