

Award Number 3118
Docket Number MW-3232

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO. •

STATEMENT OF CLAIM: (1) That the Carrier violated Schedule Rule 21 by requiring one member of the section crew, Section No. 32, Latta, Terre Haute Division, to start and end his day's work at New Hope Mine approximately 7½ miles away from Latta, the regular starting and ending point of section crew, Section No. 32.

(2) That Section Laborer Claude E. Sindors shall be paid one hour at time and one-half for each day worked from October 17, 1944 to February 5, 1945, inclusive, for traveling from Latta to New Hope Mine in advance of regular starting time and from New Hope Mine to Latta, following the regular quitting time.

(3) That Section Laborer James E. Grady shall be paid one hour at the time and one-half rate from February 6, 1945 for traveling from Latta to New Hope Mine, in advance of regular starting time and from New Hope Mine to Latta, following the regular quitting time until that requirement is discontinued.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and the employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board jointly by the parties involved; and

That hearing thereon has been held but not concluded. Under date of January 30, 1946 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of 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 February, 1946.