

Award No. 5594
Docket No. MW-5820

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
THE DELAWARE AND HUDSON RAILROAD CORPORATION

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

(1) The Carrier violated the effective agreement when they failed to permit Trackmen John R. Struckle and Kenneth R. Barber to perform over-time service between the hours of 5:30 P. M. January 26, 1949 and 3:30 A. M. January 27, 1949;

(2) Trackmen John R. Struckle and Kenneth R. Barber be allowed six (6) hours pay at their respective time and one-half rates and four (4) hours pay at their respective double time rate because of the violation referred to in part (1) of this claim.

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 December 7, 1951, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 14th day of December, 1951.