

Award No. 5740
Docket No. MW-6104

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
LOUISIANA AND NORTH WEST RAILROAD COMPANY

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

(1) That the Carrier violated the agreement when it permitted the Bryceland Section Gang to be assigned vacation periods less favorable than was in effect prior to the Carrier's abandonment of a portion of its property, and its subsequent sale to the North Louisiana & Gulf Railroad Company, as it was obligated to do under the conditions set forth in Division four, I.C.C. Finance Docket Number 16253 certificate, dated March 29, 1949, as a requisite of its approval of such abandonment;

(2) That Messrs. J. T. Wright, John Cottonham, Mack Gorham, Claud Wilson and Clark Johnson, be paid an amount equal to that earned during each of the days in which they were deprived of a vacation period as favorable as they would have enjoyed had the abandonment not taken place.

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 April 14, 1952, 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: (Sgd.) A. Ivan Tummon
Acting Secretary

Dated at Chicago, Illinois, this 25th day of April, 1952.