

Award No. 7829
Docket No. MW-8962

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

THE DELAWARE AND HUDSON RAILROAD CORPORATION

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

(1) The Carrier violated the Agreement when, on and subsequent to May 2, 1955, it did not allow Trackmen John West and John Bruno pay for time consumed each day in going to and from their respective headquarters and the point of work.

(2) Because of the violation referred to in part (1) of this claim, the Carrier be required and directed to allow the following claim which was filed on June 27, 1955, in behalf of Messrs. West and Bruno:

"Allow these employees a wage adjustment to provide them with pay in accordance with the provisions of this Rule (Rule 15 f) from the above referred to date (May 2, 1955) and continuing for the duration of this assignment."

(Parenthetical interpolations added).

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 18, 1957, the complainant party 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of April, 1957.