

Award No. 8697  
Docket No. MW-10553

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES**

**MISSOURI PACIFIC RAILROAD COMPANY**

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

(1) The Carrier violated the effective Agreement on July 20, 1957, when it failed to call and use Section Foreman J. S. Reynolds and Section Laborers O. L. Allen and C. L. Greenlea to clean gravel from the street crossing at Webb City, Missouri, and required or otherwise permitted Train Service employees to perform the necessary track maintenance service.

(2) Section Foreman J. S. Reynolds and Section Laborers O. L. Allen and C. L. Greenlea each be allowed a minimum call payment at their respective rates of pay account 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 January 16, 1959, 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 20th day of January, 1959.