

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

MISSOURI PACIFIC RAILROAD COMPANY

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

(1) The Carrier violated the currently effective Agreement when, effective as of August 3, 1957, it required Water Service Department employes to discontinue pumping Diesel fuel oil at Bismarck, Missouri and then required such work to be performed by individuals holding no seniority rights under the scope of the subject Agreement.

(2) The work of pumping Diesel fuel oil at Bismarck, Missouri, be restored and returned to employes holding seniority in the Water Service Sub-department.

(3) The senior Water Service Department employe (who was furloughed as of August 8, 1957) be allowed pay at his straight time rate for an equal number of hours as that consumed by other than Water Service forces in pumping Diesel fuel oil at Bismarck, Missouri on and after August 3, 1957.

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.