

Award No. 8743
Docket No. MW-10458

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

THE BALTIMORE AND OHIO RAILROAD COMPANY

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

(1) The Carrier was in violation of the agreement for the period beginning on March 4, 1957 and continuing through April 23, 1957 when it assigned other than B&B forces to flag for and protect B&B forces and equipment being used on a B&B project just east of Madison Road, Oakley, Ohio.

(2) B&B employees James W. Wilt and Raymond Collins each be allowed pay at his respective straight time rate for an equal proportionate share of the total man hours consumed by other than B&B forces in performing the work 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;

That no hearing thereon has been held, and under date of February 20, 1959, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, 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 26th day of February, 1959.