

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
ST. LOUIS SOUTHWESTERN RAILWAY COMPANY**

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

(1) The Carrier violated the effective Agreement when, on March 28, 29, 30, 31 and April 1, 1955, it assigned or otherwise permitted other than Roadway Machine Mechanic Helpers to perform Roadway Machine Mechanic Helper's work.

(2) The Carrier again violated the effective Agreement when, on April 27, 28 and 29, 1955, it again assigned or otherwise permitted other than Roadway Machine Mechanic Helpers to perform Roadway Machine Mechanic Helper's work.

(3) Roadway Machine Mechanic Helper Charles Williams now be allowed eight (8) hours' pay at his respective straight time rate for each of the dates referred to in parts (1) and (2) of this claim because of the violations set forth therein.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That carrier and employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon has been held and concluded. Under date of April 1, 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 15th day of April, 1959.