

Award No. 9588

Docket No. MW-11734

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

KANSAS CITY TERMINAL RAILWAY COMPANY

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

(1) The Carrier violated the effective Agreement when it assigned repair work to the steel structure of the underpass at the south side of the Union Station to a contractor whose employees hold no seniority rights under the provisions of the controlling Agreement.

(2) Messrs. C. H. Hopkins, M. S. Possen, L. O. Burdine, J. F. Harris, W. K. Long, A. A. Chisham and K. T. Bouyear each be allowed pay at their respective straight time rates for an equal proportionate share of the total number of man-hours consumed by the contractor's forces in performing the repair 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; and

That no hearing thereon has been held, and under date of September 21, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 7th day of October, 1960.