

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
UNION PACIFIC RAILROAD COMPANY

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

(1) The Carrier violated the effective Agreement when it assigned Track forces instead of Bridge and Building forces to renew approximately ten miles of fence along the right-of-way on Section No. 79 in the vicinity of Champlin, Utah.

(2) B&B Foreman R. C. Black, Carpenter-Truck Driver A. Brown, Carpenters Morton M. Wright, E. H. Petty, Beldon C. Thornton, Helpers R. H. Anderson and J. L. Green each be allowed pay at his respective straight time rate for an equal proportionate share of the total man-hours consumed by the track forces in performing the B&B work referred to in Part (1) of this claim retroactive to sixty days from June 23, 1959.

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 April 6, 1961, 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 14th day of April, 1961.