

Award No. 1375
Docket No. MW-1518

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY
CHICAGO, ROCK ISLAND & GULF RAILWAY COMPANY**

STATEMENT OF CLAIM: "Claim of Employees' Committee: first, that the Carrier violated agreement in effect between itself and the Brotherhood of Maintenance of Way Employees by contracting the work of installation of sanitary sewers at Biddle Shop, Little Rock, Ark. thus having this work performed by employees who had no seniority rights as water service employees, Arkansas Division, Rock Island Railroad.

"Second: that Gus Popke, water service mechanic, who was laid off and lost time while this work was being performed by contract, from July 17th to August 11th, 1939, be reimbursed for time lost—186½ hours at 79¢ per hour, \$147.34; and that W. D. Harris, water service mechanic helper, who lost time while this work was being done by contract, from July 17th to August 11th, 1939, be reimbursed for time lost—186½ hours at 54½¢ per hour, \$101.64."

FINDINGS: The Third Division of the Adjustment Board finds:

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

That hearing thereon has been held but not concluded. Under date of March 12, 1941, the complainant party addressed a formal communication to the Secretary of the Third Division requesting that the case be withdrawn.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

**ATTEST: H. A. Johnson
Secretary**

Dated at Chicago, Illinois, this 14th day of March, 1941.