

Award No. 2643
Docket No. MW-2720

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

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

- (a) That the Carrier violated the provisions of Rule 1, Group 7, of the agreement in reducing Mr. L. A. Kapfer, coal chute foreman, West Liberty, Iowa, from coal chute foreman to coal chute laborer, and assigning the duties of coal chute foreman to other employees who hold no seniority rights in Group 7;
- (b) That Mr. L. A. Kapfer, employed on coal chute at West Liberty, Iowa, be restored to the position of coal chute foreman, be properly classified as coal chute foreman at the rate of \$143.20 per month, and that he be paid the difference between what he has earned as coal chute laborer and that which he would have earned at coal chute foreman's rate of pay for time worked since June 28, 1937.

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 July 28th, 1944, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is hereby granted.

AWARD

Case dismissed.

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

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 1st day of August, 1944.