

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

PITTSBURGH & WEST VIRGINIA RAILWAY COMPANY

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

(1) That the Carrier violated agreement in effect by assigning work of cleaning streets and certain other work, ordinarily performed by and to which laborers in the Steam and Electrical Department were entitled, to employees employed in other departments on the railroad, from May 8 to June 1, 1946, while Laborers Carl Mock, Charles E. Aitken, and Joseph T. Brodesky of the Steam and Electrical Department were off in force reduction, or furloughed;

(2) That Laborers Carl Mock, Charles E. Aitken, and Joseph T. Brodesky, holding seniority rights in the Steam and Electrical Department, shall be paid at their regular rate of pay for the following days on which employees from other departments were assigned to the performance of this work, namely, May 8, 9, 10, 11, 13, 14, 15, 21, 22, and 31, and June 1, 1946.

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 the Carrier and the 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 complainant party; and

That hearing thereon has been held but not concluded. Under date of March 20, 1947, 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: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 26th day of March, 1947.