

Award No. 4751
Docket No. MW-4742

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
DELAWARE & HUDSON RAILROAD CORPORATION**

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

(1) That subsequent to July 15, 1948, the Carrier violated the effective agreement when it assigned Trackmen employed at Oneonta, New York, to perform Carpenter Helper's work and compensated them at the Trackman's rate of pay;

(2) That Trackmen assigned in the manner referred to in part 1 of this claim be allowed the difference in pay between what they did receive at the Trackman's rate and what they should have received at either the Carpenter Helper's rate or the Mason Helper's rate for time consumed in performing the above service.

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;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of February 21, 1950, the parties jointly addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary**

Dated at Chicago, Illinois, this 2nd day of March, 1950.