

Award No. 5355
Docket No. MW-5574

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

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

(1) That the Carrier violated the effective agreement in assigning employes holding no seniority rights in the Maintenance of Way Department to build roof over material rack at Dalhart on September 24, 1947;

(2) That B&B Mechanic Steve Dugger and B&B Helper A. M. Poorman, be compensated at their straight time rate of pay for eight (8) hours each because of the Carrier's action referred to in part (1) of this claim.

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 30, 1951, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting a 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 9th day of May, 1951.

[557]