

Award No. 5739  
Docket No. MW-6057

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
LOUISIANA AND ARKANSAS RAILWAY COMPANY**

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

(1) That the Carrier violated the agreement when they assigned the construction of a tool and motor car house to the Dunham and Wilson Contracting Company, beginning on or about April 16, 1951;

(2) That the Bridge and Building employees holding seniority on the Louisiana and Arkansas Railway be paid at their respective straight time rates of pay for an equal proportionate share of the total man-hours consumed by the contractor's forces during the time they were engaged in the work 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 21, 1952, the complainant party 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:** (Sgd.) A. Ivan Tummon  
Acting Secretary

Dated at Chicago, Illinois, this 25th day of April, 1952.

[472]