

Award No. 7378
Docket No. MW-8019

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

ERIE RAILROAD COMPANY

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

(1) The Carrier violated the effective Agreement when, on September 9 and 10, 1952, and February 26, 1953, it required and/or permitted other than Maintenance of Way employees to paint some lines on the floors of Piers 19, 20 and 21, at New York City, New York;

(2) Messrs. J. Raimondo, A. Barber, L. Cichocki, A. Alaimo and G. DeHope, employees of the Carrier's Paint Force who were assigned to and working at New York City on September 9 and 10, 1952, each be allowed 16 hours' pay at their respective straight time rates account of the violation of those dates;

(3) Messrs. E. DeWinter, T. Perrussi, J. Daguamo, T. C. Parker and S. Pietruzaski, employees of the Carrier's Paint Force assigned to and working at New York City on February 26, 1953, each be allowed eight hours' pay at their respective straight time rates, account of the violations on those dates.

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 2, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 11th day of July, 1956.