

Award No. 7379
Docket No. MW-8229

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
ERIE RAILROAD COMPANY

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

(1) The Carrier violated the effective Agreement when it failed and refused to pay retired crossing watchman George Massar in lieu of his 1955 vacation based on the daily compensation paid by the Carrier for such assignment;

(2) Claimant George Massar now be paid the difference between the compensation he received on the basis of eight (8) hours per day and what he was entitled to receive on the basis of ten (10) hours per day, account of the violation 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 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.