

**Award No. 7950**

**Docket No. MW-7833**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES**

**THE DELAWARE AND HUDSON RAILROAD CORPORATION**

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

(1) The Carrier violated the effective Agreement, when, subsequent to September 1, 1950, it assigned Signal Department employes to paint signal poles and foundations;

(2) The senior Painter, holding seniority on the Pennsylvania Division, be allowed pay at his straight time rate for the same number of man-hours as were consumed by the employes of the Signal Department in the performance of the work referred to in part one (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 May 27, 1957, 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 3rd day of June, 1957.