

**Award No. 8699**

**Docket No. MW-10661**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

---

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES**

**MISSOURI PACIFIC RAILROAD COMPANY**

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

(1) The Carrier violated the effective Agreement when, on October 1, 1957, it assigned a Blacksmith from the Roadway Track Department instead of Water Service employes from the Bridge and Building Department to weld the longitudinal hand safety railing to the top of the iron posts set in a concrete retaining wall at Poplar Bluff, Missouri;

(2) Furloughed Water Service Repairman C. G. Mitchell and Water Service Repairman Helper Leo Enlow each be allowed eight hours' pay at their respective straight time rates because 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 January 16, 1959, 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 20th day of January, 1959.