

Award No. 8700

Docket No. MW-10712

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 beginning on or about September 3, 1957 when it assigned section foremen and section laborers to operate two on-track weed mowers on the Memphis Division instead of bulletining and assigning such on-track Mower Operator's position and work to employees holding seniority as Roadway Machine Operators:

(2) Roadway Machine Operators Ananias Powell and B. G. Goade each be allowed eight hours' pay at the straight time roadway machine operator's rate for each day beginning with September 3, 1957, on which section forces, instead of Roadway Machine Operators, were used to operate On-track mowers, claim to continue until such positions are bulletined and assigned to Roadway Machine Operators.

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.