

Award No. 8702
Docket No. MW-10714

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 Agreement when, in lieu of assigning Water Service forces to excavate and backfill for sewer repair work at Poplar Bluff, Missouri, it assigned such work to a carpenter crew consisting of a B&B foreman, an Assistant B&B Foreman, a motor car operator and a number of carpenters.

(2) Furloughed Water Service Repairmen C. G. Mitchell and M. E. Eaton and furloughed Water Service Helper Leo Enlow each be allowed pay at their respective straight time rates for an equal proportionate share of the total man hours consumed by the carpenter crew in performing the work 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.