

Award No. 8703
Docket No. MW-10715

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 September 14, 1957, it failed to call and use Section Foreman R. A. Story and Section Laborers J. Sandoval and Saul Clay to remove sand from a switch at Wichita, Kansas and required or otherwise permitted its Trainmaster and General Yardmaster to perform the necessary track maintenance service;

(2) Section Foreman R. A. Story and Section Laborers J. Sandoval and Saul Clay each be allowed a minimum call payment at their respective rates of pay 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.