

Award No. 9589

Docket No. MW-10986

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

CHICAGO AND NORTH WESTERN RAILWAY COMPANY

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

(1) The Carrier violated the effective Agreement when it instructed and required Crossing Watchmen Boyd B. Spiker, Lewis H. Pierson, B. H. Holstein, Sven Lindgren, J. E. Johanson, Roy Craven, G. Jackson, Ralph Renteria and Joe Early to suspend work during and throughout their respective assigned work periods on January 1, 1958.

(2) Each of the claimants named in Part (1) hereof be allowed eight hours' pay at their respective time and one-half rates because of the violation referred to in Part (1) of this claim."

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That hearing thereon has been held and concluded. Under date of October 6, 1960, the complainant party addressed a formal communication to the Secretary of the Third Division, concurred in by the Respondent, requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 19th day of October, 1960.