

Award No. 9648
Docket No. MW-11441

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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

(1) The Carrier violated the effective Agreement when, on or about February 10, 1958 and on dates subsequent thereto, it assigned other than Section Foremen and Section Laborers to make an inspection of and to mark the defective track and switch ties for future replacement on the Carrier's Northern Division.

(2) Furloughed Section Foreman Joe Littell and the two senior furloughed section laborers who hold seniority on the territory where the work was performed, each be allowed pay at their respective straight time rates for an equal proportionate share of the total man-hours consumed by the other employees in performing the work referred to in Part (1) of this claim since February 10, 1958.

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 November 14, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 17th day of November, 1960.