

Award No. 9994

Docket No. MW-12104

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

UNION PACIFIC RAILROAD COMPANY

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

(1) The Carrier violated the effective Agreement when, on October 31, 1958, it assigned other than its Bridge and Building Employees to construct and paint a sixteen foot roof canopy over Car Department equipment at the Heavy Rip Track in the East Yard, Los Angeles, California.

(2) Bridge and Building Carpenters A. H. Dousett and Charles Sheckler each be allowed eight hours' pay and Bridge and Building Painter Frank Benson be allowed four hours' pay at their respective straight time rates account 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 July 6, 1961, 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 14th day of July, 1961.