

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES**

**UNION PACIFIC RAILROAD COMPANY**

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

(1) The Carrier violated its agreement with the Brotherhood of Maintenance of Way Employees when, on Saturday, July 30 and on Sunday, July 31, 1955, it assigned employees outside the scope thereof to load bridge and building material at Salt Lake City, Utah.

(2) Each of the following Bridge and Building employees W. E. Fichtner, J. A. Woodall, J. E. Nerrell, J. M. Dawson, L. W. Cross, J. L. Pace and W. Langdon be allowed pay at their respective time and one-half rates for an equal proportionate share of the total man-hours consumed by other forces in performing the work 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 carrier and 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;

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

That hearing thereon has been held and concluded. Under date of July 3, 1961, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division 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 4th day of August, 1961.