

**Award No. 10959**

**Docket No. MW-11331**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
BOSTON AND MAINE RAILROAD**

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

(1) The Carrier violated the effective Agreement when it assigned or otherwise permitted other than Track Department employees to perform the work of removing snow from the station platform at Winchendon, Massachusetts on December 12, 1957, January 7, 8, 9, 14, 15, 17, 20, 22, 23, 25, 28, 29, February 8, 11, 13, 18, 19, 28, March 3, 14 and 17, 1958 and to remove snow from switches at the same location on March 14 and 22, 1958.

(2) Track Foreman Thomas Hansen and Trackman E. Hupman each be allowed two hours and forty minutes' pay at their respective time and one half rates for December 12, 1957, January 7, 8, 9, 14, 15, 17, 20, 22, 23, 25, 28, 29, February 8, 11, 13, 18, 19, 28, March 3, 14 and 17, 1958 and for March 14 and 22, 1958 account 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 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 December 5, 1962, 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 7th day of December 1962.