

Award No. 1699

Docket No. MC-1428-76

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

CHARLIE EDWARD KELLEY, Petitioner

**CHICAGO, ROCK ISLAND AND PACIFIC
RAILROAD COMPANY**

DISPUTE: CLAIM OF PETITIONER:

"Charlie Edward Kelley was dismissed from service as a machinist on the Chicago, Rock Island and Pacific Railway Company, hereinafter referred to as Railroad, on July 29, 1952. It was first alleged that Kelley's machinist job had been abolished. (See copy of telegram received, attached and marked Exhibit I.) On July 31, 1952, Claimant Kelley received, a letter from the Railroad affirming his dismissal but avering he was cut off due to reduction in force. A copy of this letter is attached and marked Exhibit II. Kelley requested reinstatement to his job as machinist at Alexandria, Louisiana, as of July 29, 1952, with payment of wages he would have earned in Railroad's service had he not been wrongfully cut off. Mr. L. B. Close, master mechanic of Railroad, was advised by Allen J. Buckley, General Chairman of the International Association of Machinists, District #36, by letter dated July 28, 1952, that Kelley was therein claiming pay for eight (8) hours per day, five (5) days per week from date of dismissal until reinstated. A copy of this letter is attached and marked Exhibit III."

STATEMENT: The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to petitioner in ex parte form, a hearing thereon was held, and the Division is now in receipt of a request from the Petitioner that the case be withdrawn.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division**

**ATTEST: Harry J. Sassaman
Executive Secretary**

Dated at Chicago, Illinois, this 11th day of August, 1953.