

Award No. 4579  
Docket No. 4522  
2-HB&T-CM-'64

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

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**PARTIES TO DISPUTE:**

SYSTEM FEDERATION NO. 2, RAILWAY EMPLOYEES'  
DEPARTMENT, A. F. of L. — C. I. O. (Carmen)

HOUSTON BELT & TERMINAL RAILWAY COMPANY

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That under the provisions of the controlling agreement the Houston Belt and Terminal Railway Company unjustly withheld Car Inspector J. E. McCain from service beginning January 1, 1963, up to and including the time he was dismissed from service on January 25, 1963.

2. That accordingly, the Houston Belt & Terminal Railway Company be ordered to reinstate Car Inspector J. E. McCain to service with seniority rights unimpaired and paid for all wages lost from January 1, 1963, including vacation rights, any earned vacations and fringe benefits, including hospitalization, insurance dependent benefits, and any other benefits (monetary) that flows to any other employe in active service during the period Car Inspector J E. McCain is out of service.

**STATEMENT:** The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form, hearing thereon was waived, and the Division is now in receipt of a request from the employees that the case be withdrawn.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 27th day of July 1964.