

The Second Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

Parties to Dispute: (System Federation No. 2, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company unjustly withheld Carman James R. Grimes from service starting August 21, 1974, and following investigation dismissed him from service effective August 29, 1974.
2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Carman Grimes as follows:
 - (a) Pay for all time lost covering period August 21, 1974 until returned to service;
 - (b) Made whole for vacation, vacation rights and returned with seniority rights unimpaired;
 - (c) Made whole for any actual loss of overtime;
 - (d) Made whole for payment of insurance on his dependents and hospital benefits for himself;
 - (e) In addition to the money claimed herein, be paid an additional sum of 6% per annum compounded on the anniversary date of the claim.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employees that the case be withdrawn.

A W A R D

Claim Dismissed.

Form 1
Page 2

Award No. 7395
Docket No. 7088
2-MP-CM '77

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 15th day of November, 1977.