

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

Parties to Dispute: (International Brotherhood of Electrical Workers
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(Burlington Northern Railroad Company

Dispute: Claim of Employees:

1. That in violation of the current Agreement, Electrician C. W. Hodgin was unjustly dismissed from service of the Burlington Northern Inc., following Investigation held on date of August 7, 1980.
2. That in further violation of the Agreement, (Rule 35) Carrier failed in their responsibility in affording Claimant a fair and impartial Hearing and thus stands procedurally defective in the instant claim.
3. That accordingly, the Burlington Northern Inc., be ordered to make the aforementioned C. W. Hodgin whole by restoring him to its service with seniority rights unimpaired, plus compensation for all lost wages, and that all vacation benefits, railroad retirement benefits, and all other benefits, right, and privileges due said Claimant under the prevailing schedule rules, agreements or laws be restored. Claim to begin August 29, 1980.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 21st day of September, 1983.