

Award No. 397

Docket No. 399

2-DL&W-EW-'39

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 78, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (ELECTRICAL WORKERS)**

**THE DELAWARE, LACKAWANNA AND WESTERN
RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYEES: (a) Proper application of Rule 18, of the current agreement in the Maintenance of Way and Structures Department, effective December 3, 1935.

(b) That James Duffy, electrician helper, traction line gang, with seniority date of March 25, 1926, be returned to his former position, seniority unimpaired, as electrician helper.

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to organization in ex parte form, and the Division is now in receipt of request from the employes that the case be withdrawn.

AWARD

Claim dismissed.

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

**ATTEST: J. L. Mindling
Secretary**

Dated at Chicago, Illinois, this 10th day of November, 1939.

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