

Award No. 1031

Docket No. 961

2-WP-EW-'44

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee Herbert B. Rudolph when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 117, RAILWAY EMPLOYES'
DEPARTMENT, A. F. OF L. (ELECTRICAL WORKERS)**

THE WESTERN PACIFIC RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYES: 1. That on and since December 9, 1942, the carrier has unjustly dealt with Electrical Worker D. R. McGinnis, by suspension and dismissal without any bona fide cause or reason within the meaning of the controlling agreement.

2. That in consideration of the aforesaid, the carrier be ordered to restore Electrical Worker D. R. McGinnis to service with seniority rights unimpaired and with compensation for all time lost retroactive to 1:00 P. M., December 9, 1942.

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form, a hearing thereon was held, and the Division is now in receipt of request from the employes that the case be withdrawn.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 13th day of November, 1944.