

Award No. 3098
Docket No. 3242
2-C&IM-F&O-'59

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 128, RAILWAY EMPLOYES'
DEPARTMENT, AFL-CIO (Firemen and Oilers)**

CHICAGO AND ILLINOIS MIDLAND RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYES:

1. That under the current agreement the Carrier unjustly dismissed Laborer Joseph Tomko from its service on November 6, 1957.
2. That accordingly the Carrier be ordered to reinstate Laborer Joseph Tomko to the service with seniority, vacation and all other rights accrued under the Agreement unimpaired and compensate him at the applicable straight time rate of pay for all time lost as a result of the aforesaid violation.

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to organization in ex parte form and the Division is now in receipt of a request from the employes that the case be withdrawn.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 30th day of January, 1959.