

**Award No. 3394**

**Docket No. 3615**

**2-C&O-CM-'60**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 41, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Carmen)**

**CHESAPEAKE AND OHIO RAILWAY COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That the current agreement was violated particularly Rule 27 (c) when Carman Wilke, who had no seniority at Peach Creek, W. Va., was called for service as carman at Peach Creek, W. Va., Jan. 7, 1959, while Herman E. Hensley, who had a seniority date of Dec. 26, 1958 on Peach Creek seniority roster, was on furlough at Peach Creek, W. Va., C. & O. Railway Company.

2. That accordingly the Carrier be ordered to compensate Herman E. Hensley 8 hours each day January 7, 8, 9, 10, 13, 1959, at carmen's straight time rate of pay account of 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to organization in ex parte form and the Division is now in receipt of a request from the employees that the case be withdrawn.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 21st day of January 1960.**