

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

Parties to Dispute: (Brotherhood Railway Carmen of the United States
(and Canada
(
(Western Pacific Railroad Company

Dispute: Claim of Employees:

That Carman L. E. Layton was unjustly discharged from the service of the Western Pacific Railroad Company in violation of the rules of the Controlling Agreement by letter on December 27, 1978 as a result of investigation held December 5, 1978.

That accordingly, The Western Pacific Railroad Company reinstate Carman L. E. Layton to service with pay for all time lost, with all rights and benefits unimpaired.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the employees that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 4th day of February, 1981.