

Parties to Dispute: ( International Brotherhood of Electrical Workers  
( National Railroad Passenger Corporation

Dispute: Claim of Employees:

1. That under the current Agreement the National Railroad Passenger Corporation unjustly suspended Electrician D. D. Brooks five days, effective Monday, May 9, 1983.
2. That under the current Agreement, particularly Rule 23(c) the National Railroad Passenger Corporation has forfeited its position in this case account the Regional Manager-Labor Relations failed to render his decision within 30 days of the date of the appeal was received by the Carrier; accordingly this claim should be sustained without consideration of the merits.
3. That accordingly, the National Railroad Passenger Corporation be ordered to restore Electrician D.D. Brooks to service with seniority unimpaired and with all pay due him from the first day he was held out of service until the day he is returned to service, at the applicable Electrician's rate of pay for each day he has been improperly held from service; and with all benefits due him under the group hospital and life insurance policies for the aforementioned period; and all railroad retirement benefits due him, including unemployment and sickness benefits for the aforementioned period; and all vacation and holiday benefits due him under the current vacation and holiday agreement for the aforementioned period; and all other benefits that would normally have accrued to him had he been working in the aforementioned period in order to make him whole; and expunge his record.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the Employees that the case be withdrawn.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:   
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 16th day of January 1985.