

The Second Division consisted of the regular members and in addition Referee Hyman Cohen when award was rendered.

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

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated Rule 31 of the controlling Agreement when they arbitrarily, unjustly and capriciously dismissed Carman E. Jackson, August 27, 1982, North Little Rock, Arkansas.

2. That the Missouri Pacific Railroad Company be ordered to compensate Carman E. Jackson as follows:

- (a) that he be returned to service with seniority and vacation rights unimpaired,
- (b) made whole for any loss suffered August 27, 1982 until returned to service (as in (a)) in retirement benefits, health & welfare and insurance benefits,
- (c) compensated for all wage loss starting August 27, 1982 and continuing until returned to service as in (a) above.

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form, hearing thereon was waived, and the Division is now in receipt of a request from the Carrier that the case be withdrawn.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 27th day of February, 1985