

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 10315
Docket No. 10533
2-D&RG-FO-'85

The Second Division consisted of the regular members and in addition Referee Jonathan I. Klein when award was rendered.

Parties to Dispute: (International Brotherhood of Firemen and Oilers
(Denver and Rio Grande Western Railroad Company)

Dispute: Claim of Employes:

1. That in violation of the current Agreement, Laborer D. K. Smart, Roper, Utah, was unfairly dismissed from service of the Denver and Rio Grande Western Railroad Company, effective December 15, 1982.

2. That accordingly, the Carrier be ordered to make Mr. Smart whole by restoring him to service with seniority rights, vacation rights, and all other benefits that are a condition of employment, unimpaired, with compensation for all losses sustained account loss of coverage under Health and Welfare and Life Insurance Agreements during the time held out of service; and the mark removed from his record.

Statement:

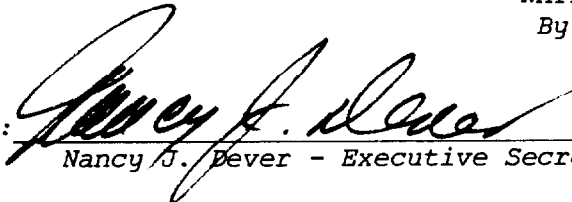
The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to Organization in ex parte form, hearing thereon was waived, and the Division is now in receipt of a request from the Organization that the case be withdrawn.

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