

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES

PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the Joint Council of Dining Car Employees, Local No. 370 of the H. & R. E. I. A. on the Pennsylvania Railroad Company, for and in behalf of the Waiter-in-charge F. S. Byrnes, that the Carrier has violated and continues to violate the Dining Car Cooks, Waiters-in-charge, Pantrymen and Waiters Agreement by:—

1. Failing to call Mr. Byrnes, the senior Waiter-in-charge for the extra and relief work assigned to Waiter Thomas Daniel; and
2. Failure to properly provide for and bulletin relief work, created in working schedule 173, as full time positions, and
3. That F. S. Byrnes be compensated to the extent suffered retroactive to June 1st, 1941, through and inclusive of July 25th, and August 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 1941, and
4. That all rights accruing to Mr. Daniels be also credited to Mr. Byrnes.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of June 25, 1942, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 1st day of July, 1942.