

Award No. 3622
Docket No. MW-3571

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

TEXAS MEXICAN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood:

(1) That the dismissal of Matias G. Flores, Section Foreman, Robston, Texas, September 12, 1945, was improper and unwarranted;

(2) That Matias G. Flores shall be reinstated as section foreman at Robston, Texas, with seniority rights unimpaired and paid for time lost equal to that which he would have earned as section foreman at Robston, retroactive to September 12, 1945.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934;

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

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

That hearing thereon has been held and concluded. Under dates of July 9, 1947 and July 14, 1947, the respective parties advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, 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 17th day of July, 1947.