

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

CENTRAL OF GEORGIA RAILWAY COMPANY

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

"(1) That the Carrier violated the agreement by giving to Mr. M. H. Montgomery a seniority date as Foreman and Apprentice Foreman of March 4, 1946 on the Columbus Division;

(2) That the Carrier make the proper adjustment in the seniority status of all Section Foremen and Apprentice Foremen on the Columbus Division to rectify this violation of agreement;

(3) That all employees who have suffered a wage loss as a result of this violation of the agreement be now reimbursed for such losses."

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 Employees involved in this dispute are respectively carrier and employees 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;

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

That hearing thereon has been held and concluded. Under date of October 13, 1949, the parties jointly addressed a formal communication to the Acting Secretary of the Third Division, requesting withdrawal of 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 15th day of November, 1949.