

Award No. 4820
Docket No. DC-5057

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES

DELAWARE AND HUDSON RAILROAD CORPORATION

STATEMENT OF CLAIM: Claim of Joint Council Dining Car Employees, Local No. 370, for and on behalf of Roy Smith, Edward McAdoo and C. Whittaker against Delaware and Hudson Railroad Corporation that they be compensated for difference between what they should have been paid as second cooks between the dates of March 24-25, and April 1-8, 1949; March 16-31; and March 15-18, 21-22, 25-31 and April 1, 1949, respectively, and what they were actually paid for service on said dates, Carrier having paid said employees at rate established for third cooks in violation of agreement between the parties.

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; and

That no hearing thereon has been held and under date of March 8, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case, 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 29th day of March, 1950.