

Award No. 6437  
Docket No. CL-6836

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

**THE WICHITA UNION TERMINAL RAILWAY COMPANY**

**STATEMENT OF CLAIM:** (a) Carrier violated rules of the Clerks' Agreement at the Wichita Union Terminal Railway Company, Wichita, Kansas, when on July 13, 1952, it used a junior employe to fill a vacancy in preference to a senior qualified and available employe; and

(b) Orville W. Ihde shall now be paid for eight (8) hours at the rate of time and one-half of Position No. 121 for July 13, 1952, as result of this violation.

**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 the complainant party; and

That no hearing thereon has been held, and under date of December 7, 1953, the complainant party addressed a formal communication to the 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: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 8th day of January, 1954.