

Award No. 6635
Docket No. TE-6956

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

SOUTHERN PACIFIC COMPANY (Pacific Lines)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Southern Pacific Company (Pacific Lines) that:

(1) The Carrier violated the provisions of the agreement between the parties when on October 5, 1953 it arbitrarily and capriciously dismissed Mrs. Marie Babush, regularly assigned Printer Machine Operator No. 15, "BD" General Telegraph Office, San Francisco, for allegedly violating Rule 810 of the Rules and Regulations of the Transportation Department of the Carrier by being absent from her position September 12 and 13, 1953, account illness and upon the instructions of her personal physician.

(2) The record of Mrs. Marie Babush shall be cleared of the charge and she shall be returned to her former position of Printer Machine Operator No. 15, "BD" General Telegraph Office, San Francisco, with all rights unimpaired and compensated for all time lost since the date of her unjustified dismissal.

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 hearing was waived and under date of May 17, 1954, the parties jointly 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 21st day of May, 1954.