

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) The terms of the current Agreement, including Vacation Agreement, were violated when commencing June 29, 1955, the Carrier failed to properly fill Mr. V. F. Howlett's position of Yard Checker, 12 Noon to 9:00 P. M., at Provo, Utah, while he was on vacation.

(2) That as a penalty for the rules violation Mr. Melvin M. Elder, Yard Checker at Provo, be paid ten days' pay at rate of Yard Checker.

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 October 24, 1956, 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: A. Ivan Tummon
Executive Secretary**

Dated at Chicago, Illinois, this 2nd day of November, 1956.