

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

MISSOURI PACIFIC RAILROAD COMPANY

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

(1) Carrier violated the Clerks' Agreement when it failed and refused and continued to refuse to compensate Clerks B. O. Davis, F. J. Faller and C. W. Galliher for vacations in the year 1957 for which they qualified in 1956 and prior years, in accordance with the provisions of the National Vacation Agreement dated December 17, 1941, and the Chicago Agreement dated August 21, 1954;

(2) The Carrier shall be required to compensate:

(a) Clerk B. O. Davis for 15 days as vacation pay at the rate of \$20.00 per day, amount \$300.00;

(b) Clerk F. J. Faller for 15 days as vacation pay at the rate of \$18.74 per day, amount \$281.10;

(c) Clerk C. W. Galliher for 13 days as vacation pay at the rate of \$18.50 per day, amount \$240.50.

account violation of Article 1 of the Vacation Agreement dated December 17, 1941, and as amended in Article I, Section 1 (c) of the Chicago Agreement dated August 21, 1954.

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 May 19, 1958, the parties jointly addressed a formal communication to the 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. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of June, 1958.