

Award No. 8529  
Docket No. DC-10398

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

UNITED TRANSPORT SERVICE EMPLOYEES  
THE BALTIMORE AND OHIO RAILROAD COMPANY

**STATEMENT OF CLAIM:** That the Baltimore and Ohio Railroad Company violated Article 1, Scope Rule, of the Cooks and Waiters current agreement when the Company failed to recognize that the servicing of food in the Dining Room of the Baltimore and Ohio Railroad Building at Baltimore and Charles Streets, comes properly within the scope and operation of the above mentioned agreement.

We now request that this work be assigned to employees holding seniority rights under the Cooks and Waiters Agreement and further, that all employees adversely effected by reason of failure of the Company to properly assign this work, be compensated for all wage loss sustained subsequent to April 5, 1957.

**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 thereon has been held but not concluded. Under date of November 13, 1958, 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 18th day of November, 1958.