

Award No. 9550
Docket No. DC-11812

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYEES—Local 848

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of Joint Council Dining Car Employees, Local 848, on the property of the Chicago, Burlington & Quincy Railroad Company for and on behalf of Arthur Polk that he be restored to service and compensated for net wage loss with seniority and vacation rights unimpaired account of Carrier dismissing claimant from service on May 27, 1959 and failing to grant claimant an investigation in accordance with the provisions of Rules 25 and 26 of the existing agreement.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

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 August 26, 1960, the complainant party addressed a formal communication to the Secretary of the Third Division, concurred in by the Respondent, requesting withdrawal of this case, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 9th day of September, 1960.