

**Award No. 9651**

**Docket No. MW-11698**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES**

**SOUTHERN PACIFIC LINES IN TEXAS AND LOUISIANA**  
**(Texas and New Orleans Railroad Company)**

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

(1) Carrier violated the Agreement when it failed to supply Roadway Machine Operator C. E. Williams with proper and adequate camp car facilities and failed to furnish him any means of transportation from one work location to another as his roadway machine was transferred from location to location.

(2) The letter dated April 9, 1959, by Manager of Personnel E. B. Kysh did not give reasons for his declination of the claim which are within the intent and purpose of Article V of the August 21, 1954 Agreement.

(3) Roadway Machine Operator C. E. Williams be reimbursed for the meal, lodging, and traveling expenses incurred for September and October 1958 because of the violation referred to in Part (1) of this claim and because of the default by Mr. Kysh in his failure to give reasons for his disallowance of the claim.

**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 complainant party; and

That no hearing thereon has been held, and under date of November 14, 1960, 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: S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 17th day of November, 1960.