

Award No. 10999
Docket No. TE-13463

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE AKRON, CANTON & YOUNGSTOWN RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Akron, Canton and Youngstown Railroad, that:

1. Carrier violated Rule 23 (b) of the parties Agreement when it failed and refused to allow L. B. Pearson sick leave pay.
2. Carrier violated Rule 3 (i) (1) when it failed to disallow the claim within the sixty (60) day time limit prescribed by said rule.
3. Carrier shall now allow L. B. Pearson \$864.80 sick-leave pay.

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 December 11, 1962, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 19th day of December 1962.