

Award No. 10999  
Docket No. TE-13463

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPERS**

**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. Schuly  
Executive Secretary

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