

Award No. 18437

Docket No. CL-18658

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Melvin L. Rosenbloom, Referee

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP
CLERKS, FREIGHT HANDLERS, EXPRESS AND
STATION EMPLOYES**

**CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6729) that:

1) Carrier's action in dismissing employe C. G. Esposito for her failure to notify her supervising officer that she would be detained from work on October 20, 1968 in violation of the provisions of Rule 25(a) of the Clerks' Agreement was unjust, capricious, arbitrary and without just cause.

2) Carrier shall be required to reinstate employe C. G. Esposito to service with seniority and all other rights unimpaired and compensate her for all losses sustained until she is returned to service.

OPINION OF BOARD: The record indicates that the claim presented to this Board was disposed of on the property on a leniency basis. Consequently, the claim before us is moot, and will therefore be dismissed.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees 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 claim is moot.

AWARD

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 12th day of March 1971.

Keenan Printing Co., Chicago, Ill.

Printed in U.S.A.