

**Award No. 1838
Docket No. DC-1935**

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES

NEW YORK CENTRAL RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the Joint Council of Dining Car Employes for and in behalf of the following employes for seniority dates as a result of carriers' failure to recall the above named employes to service while on furlough, before hiring new employes.

Claim for seniority date October 28, 1929 for Waiter L. Fogg.

Claim for seniority date April 23, 1920 for Waiter J. Martin.

Claim for seniority date June, 1927 for Waiter C. Jackson.

Claim for seniority date November 19, 1936 for Waiter R. Malone.

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;

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

That hearing thereon has been held but not concluded. Under date of June 5, 1942, the Petitioner addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

**ATTEST: H. A. Johnson
Secretary**

Dated at Chicago, Illinois, this 10th day of June, 1942.

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