

Award No. 4396

Docket No. PM-4679

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

BROTHERHOOD OF SLEEPING CAR PORTERS

THE PULLMAN COMPANY

STATEMENT OF CLAIM: * * * for and in behalf of F. D. Brock, who is now, and for some time past has been, employed by The Pullman Company as a porter operating out of the District of Los Angeles, California.

Because The Pullman Company did, under date of July 8, 1948, deny a claim filed by this Organization for and in behalf of Porter Brock for the sum of \$6.43, which the Organization maintains was due and payable to Porter Brock for services performed during the month of August, 1946, in accordance with the rules of the contract as set forth in the claim.

And further, because said denial of the above mentioned claim was in violation of the rules of the above mentioned contract.

And further, for Porter F. D. Brock to be paid the amount of \$6.43 contended for in said 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. Under date of April 8, 1949 the Petitioner addressed a formal communication to the acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 28th day of April, 1949.

[968]