

Award No. 5062
Docket No. DC-5294

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES, LOCAL 357
SOUTHERN PACIFIC COMPANY

STATEMENT OF CLAIM: Claim Joint Council Dining Car Employees, Local 357, for and on behalf of M. F. Cooney, News Agent, on the property of Southern Pacific Company, that he be restored to service in his former position with vacation and seniority rights unimpaired and with compensation from May 27, 1950, having been dismissed from service in violation of schedule rules and abuse of Carrier's discretion.

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, and under date of September 13, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case, 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 17th day of October, 1950.