

Award No. 6040
Docket No. CL-6473

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

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

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, amended September 1, 1949, particularly Rule 2-A-7, Baggage Department, Pennsylvania Station, New York, N. Y., New York Division, by refusing to permit P. G. Begley, Clerk, to return to his position after being off duty due to sickness, until he obtained permission from the Carrier's Medical Examiner.

(b) P. G. Begley, Clerk, be compensated for two days' lost earnings, June 10 and 11, 1950. (Docket N-312)

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 24, 1952, 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

Case dismissed.

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

**ATTEST: (Sgd.) A. Ivan Tummon
Secretary**

Dated at Chicago, Illinois, this 12th day of January, 1953.