

Award No. 7563  
Docket No. CL-7815

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES  
MISSOURI PACIFIC RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes on the Missouri Pacific Railroad, that the Carrier violated the Clerks' Agreement:

1. When, on January 20, 1955, following formal investigation held on Monday, January 17, 1955, it unjustly and without sufficient cause, dismissed from service Yard Clerk H. L. Richardson, Salina, Kansas, whose seniority date as a Clerk was September 18, 1942;

2. The Carrier be required and directed to reinstate Clerk Richardson to its service on the Station and Yards seniority district and roster of Class "A" employes, Central Kansas—Colorado Division, with seniority rights unimpaired, and reimburse him for wage loss sustained from January 21, 1955, until he is returned to the Carrier's service.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That hearing thereon has been held and concluded. Under date of November 6, 1956, the parties jointly addressed a formal communication to the Secretary of the Third Division, requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon  
Executive Secretary

Dated at Chicago, Illinois, this 12th day of December, 1956.