

Award No. 7669
Docket No. CL-8195

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

**UNION PACIFIC RAILROAD COMPANY
(South-Central District)**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood that: (a) Carrier violated the procedural provisions of Agreement between the Carrier and Brotherhood effective February 1, 1952, when it:

First—denied claimant C. M. Woolard, Clerk, Local Freight Agent's Office at Salt Lake City, Utah, the right to be represented by his duly accredited representative at formal investigation and/or hearing held September 13, 1955, and

Second—that the formal investigation and/or hearing was not conducted by his supervising officer, namely, Agent L. D. Erickson, thus shutting off the normal avenue of appeal to the Superintendent.

(b) Mr. Woolard be reinstated to service with seniority unimpaired and paid for wage loss retroactive to September 15, 1955.

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 Employees involved in this dispute are respectively carrier and employees 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 January 25, 1957, 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 15th day of February, 1957.