

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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PARTIES TO DISPUTE:

ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN  
CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD  
COMPANY

**STATEMENT OF CLAIM:** The Order of Railway Conductors and Brakemen, Pullman System, claims for and in behalf of Conductor F. W. Kuss, Milwaukee District, that:

1. Rules 24 and 52 of the Agreement between the Milwaukee Road and its Parlor Car Conductors were violated by the Company on January 7, 1956, when Milwaukee Train No. 3 was operated Chicago to Minneapolis without the services of a Parlor Car Conductor.
2. The Memorandum of Agreement between the parties signed in Chicago on April 5, 1955, was violated by the Company on January 20, 1956, when the Company declined to compensate Conductor F. W. Kuss as required by this Memorandum of Agreement. Question and Answer 1 to Rule 35 is also involved.
3. Conductor Kuss be compensated in the amount of 1¼ days as required by the Memorandum of Agreement and the Agreement between the parties.

**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 October 9, 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 16th day of December, 1957.