

Award No. 9071
Docket No. CL-10360

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

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

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY

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

(1) The Carrier violated the terms of the currently effective Agreement and the Vacation Agreement dated Chicago, Illinois, December 17, 1941, when it refused to cooperate with the employees in the assignment of a vacation period for Clerk J. Bacus at Kansas City, Missouri, arbitrarily assigning him dates other than those requested, thus requiring him to suspend work on his regular position April 4 through 15, 1957, and requiring him to work through his requested vacation period, November 25 through December 6, 1957, assigning these latter dates to a junior employee.

(2) As a penalty for such violation, Mr. J. Bacus now be allowed ten days' pay at the penalty rate of his regular position.

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 October 20, 1959 the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 18th day of November, 1959.