

Award No. 9735
Docket No. CL-11668

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:

Case No. 1

(a) The discipline of dismissal imposed upon R. V. Peterson, Station Baggagehandler, Baggage Department, Pennsylvania Station, New York, N. Y., which was later reduced to a suspension, time held out of service to apply, be removed.

(b) Claimant R. V. Peterson be reimbursed for all monetary loss sustained beginning with June 21, 1957, until adjusted. (Docket 353.)

Case No. 2

(a) The Carrier violated the Clerks' Rules Agreement, effective May 1, 1942, except as amended, particularly Rule 6-A-1 (a), when it imposed discipline of thirty days' suspension upon R. V. Peterson, Station Baggagehandler, Baggage Department, Pennsylvania Station, New York, N. Y., New York Region.

(b) The discipline of thirty days' suspension be removed and that he be reimbursed for all monetary loss sustained. (Docket 372.)

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the Carrier and Employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934;

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

That hearing thereon was waived by the parties and under date of October 4, 1960, 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 15th day of December, 1960.