

Award No. 10083
Docket No. MW-12522

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
UNION PACIFIC RAILROAD COMPANY**

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

(1) The dismissal of D. D. Remarenko on July 29, 1960 was without just and proper cause and on the basis of unproven charges and wholly disproportionate to the offense with which he was charged, and, in consequence thereof

(2) The charge shall be stricken from the record, Mr. Remarenko be reinstated to the position from which he was removed, with seniority, vacation and all other rights unimpaired and that he be reimbursed for the assigned working hours actually lost while out of the service of the company at not less than the rate of the position formerly held, all in conformance with the provisions of Rule 40 (d).

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 hearing thereon has been held and concluded. Under date of September 20, 1961, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Secretary

Dated at Chicago, Illinois, this 22nd day of September, 1961.