

Award No. 10579

Docket No. MS-12648

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

BEN BAILEY

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
GRAND TRUNK WESTERN RAILROAD COMPANY**

STATEMENT OF CLAIM: Ben Bailey claims that he has been wrongfully and illegally fired by the Carrier upon the citation of the Union and he seeks an award restoring him to his employment with full restoration of all seniority, union, and employment rights including all lost wages, back pay, vacation pay, and other benefits plus interest and damages.

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 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 the complainant party; and

That no hearing thereon has been held, and under date of September 25, 1961, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

AWARD

Claim dismissed.

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

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois this 3rd day of May 1962.