

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 37585  
Docket No. CL-37569  
05-3-02-3-639

The Third Division consisted of the regular members and in addition Referee M. David Vaughn when award was rendered.

**PARTIES TO DISPUTE:** (Transportation Communications International Union  
(Sand Springs Railway Company)

**STATEMENT OF CLAIM:**

“Claim of the System Committee of the Organization (GL-12940)  
that:

1. The Carrier violated and continues to violate the terms of the Union Shop Agreement signed May 29, 1958, when it failed and refuses to notify Ms. Gerri Holladay that she is charged with non-compliance of the aforesaid Union Shop Agreement, received by the Carrier on June 18, 2001, all in accordance with Section 5 of the Union Shop Agreement.
2. That the Carrier shall be required and ordered to comply with the terms of the Union Shop Agreement.”

**FINDINGS:**

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

The Parties have advised that the dispute has been settled between them and have requested that a Dismissal Award be issued. The Award and Order so reflect.

**AWARD**

Claim dismissed.

**ORDER**

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**By Order of Third Division**

Dated at Chicago, Illinois, this 24th day of August 2005.