

## PUBLIC LAW BOARD NO. 4021

Award No. 6  
Case No. 6

PARTIES            The Brotherhood of Maintenance of Way Employees  
TO                         and  
DISPUTE           The Atchison, Topeka & Santa Fe Railway Company

STATEMENT  
OF CLAIM

1. Carrier's decision to remove Southern Division Trackman E. R. Harvey from service effective February 5, 1985, was unjust.
2. Accordingly, Carrier should be required to reinstate Claimant Harvey to service with seniority rights unimpaired, and compensate him for all wages lost from February 5, 1985.

## FINDINGS


This Board, upon the whole record and all the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by Agreement dated November 26, 1985, and has jurisdiction of the parties and the subject matter.

Subsequent to the filing of this case with the Board, Claimant notified the Organization that he had agreed to resign, and with-


draw all labor claims filed on his behalf against the Carrier.  
Therefore, we will dismiss the claim.

AWARD

Claim dismissed.

  
C. F. Foose, Employee Member

  
L. L. Pope, Carrier Member

  
J. R. Johnson, Chairman  
and Neutral Member

Dated: February 28, 1986