

Award No. 3078

Docket No. DC-3088

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES

NEW YORK CENTRAL SYSTEM (LINES EAST)

STATEMENT OF CLAIM: Claim of the Joint Council Dining Car Employees, Local 370, on the property of the New York Central System (Lines East) for and in behalf of Chef H. J. Mays, to have his record cleared of suspension of 5 days, and for compensation to the extent suffered, including \$1.17 charged him for cost of cook's coat, alleged to have been damaged by Chef Mays, in abuse of Carrier's discretion and in violation of the discipline rules of the Agreement.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and the employe involved in this dispute are respectively carrier and employe 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 complainant party; and

That hearing thereon has been held but not concluded. Under date of January 4, 1946, 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

Case dismissed.

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

**ATTEST: H. A. Johnson,
Secretary**

Dated at Chicago, Illinois, this 11th day of January, 1946.