

Award No. 3895
Docket No. DC-4091

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

UNITED TRANSPORT SERVICE EMPLOYES

**CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY
COMPANY**

STATEMENT OF CLAIM: This claim is filed on behalf of Eugene Hurley, Chef Cook, employed by the Chicago, Rock Island and Pacific Railway Company.

We claim that the Carrier has violated the provisions of Rule 11-(a) of the existing agreement in failing to give Mr. Hurley written notice of its intention to deduct money from his pay.

We also claim that Carrier is in violation of Rule 11-(b) of same agreement in that Carrier made deductions from Chef Cook Hurley's pay after expiration of the twenty (20) day period for making such deductions stipulated in the agreement.

Finally, this claim is for a discontinuance of these deductions and a restitution of all such funds deducted from Chef Cook Hurley's pay by virtue of this violation of the agreement.

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 complainant party; and

That no hearing thereon has been held, and under date of April 29, 1948, 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 4th day of May, 1948.

[904]