

Award No. 4520
Docket No. TE-4777

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

HUDSON AND MANHATTAN RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Hudson and Manhattan Railroad Company that:

1(a) The Carrier violated the terms of the Telegraphers' Agreement when and because it assessed, by letter dated October 25, 1948, the record of Towerman J. E. Dunne, Jr., with fifteen (15) demerits without a hearing; and (b) in consequence thereof the said five (5) demerits shall be removed from Mr. Dunne's record.

2(a) The Carrier violated the terms of the Telegraphers' Agreement when and because it assessed, by letter dated October 25, 1948, the record of Towerman J. E. Dunne, Jr., with fifteen (15) demerits without a hearing; and (b) in consequence thereof the said fifteen (15) demerits shall be removed from Mr. Dunne's record.

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 August 5, 1949, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 9th day of August, 1949.