

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**UNION PACIFIC RAILROAD COMPANY (Northwestern District)**

**STATEMENT OF CLAIM:** Claim of the American Train Dispatchers Association that:

(a) The Union Pacific Railroad Company, hereinafter referred to as "the Carrier," ignored the requirements of Rule 29-(a) of the currently effective agreement between the parties to this dispute when, and regardless of protest made by the Organization's representative the Carrier's Superintendent on January 30,\* 1955, charged Train Dispatcher Ross Crispino of the Carrier's Nampa, Idaho office, with an alleged offense pertaining to dispatching performance which also allegedly occurred on December 20, 1954.

(b) The Carrier shall, by reason thereof, remove from personal service record of Train Dispatcher Ross Crispino the reprimand assessed by Superintendent C. H. Burnett, as shown by the latter's letter dated February 7, 1955, addressed to Mr. Crispino reading as follows:

"Please refer to notice of investigation and hearing sent you under date of January 30, 1955.

"Having carefully considered the evidence adduced at the hearing held February 1, 1955, I find that the following charges stated in the above mentioned notice have been sustained:

'You failed to report to Chief Dispatcher that Order No. 234, addressed to Extra 1480 East, at Nampa, Idaho, was not delivered to train by operator at Nampa, Idaho on December 20, 1954 in violation of Rule 1 of Form 2274, "Instructions for Train-Dispatchers" and operating rule 951.'

"Therefore, your personal record has been assessed with a reprimand for failure to make proper report of the incident in question to Chief Dispatcher."

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\*(A date of January 20 was inadvertently shown in Item (a), Statement of Claim, of our letter dated June 29, 1955, announcing our intention to file an ex parte submission in this case.)

**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 Employes involved in this dispute are respectively Carrier and Employes 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 March 1, 1956 the Petitioner addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

**AWARD**

Case dismissed.

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

ATTEST: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 19th day of March, 1956.