

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYES, LOCAL 495

BALTIMORE & OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: Claim for and in behalf of Mr. Harold G. Toombs, Waiter in the Dining Car Department of the Baltimore and Ohio Railroad Company to have his record cleared of a reprimand assessed as discipline as a result of hearing conducted April 28, 1943, and for compensation to the extent suffered by being held off duty pending investigation and decision, a period of approximately eighteen (18) days, in abuse of the Carrier's discretion and in violation of Rule 7-E of the current 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 employee involved in this dispute are respectively carrier and employee 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 and concluded. Under date of April 30, 1945, the parties jointly advised the Secretary of the Third Division of their desire to withdraw it from further consideration by the Division, 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 22nd day of May, 1945.