

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION

SEABOARD AIR LINE RAILWAY COMPANY

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

- (1) The Seaboard Air Line Railway Company failed to comply with the requirements of Article 8, paragraphs (a) and (b) of the current agreement between the Seaboard Air Line Railway and its train dispatchers represented by the American Train Dispatchers Association when it imposed discipline upon Train Dispatcher F. L. Nelson without having notified him in writing, clearly specifying the nature of the complaint and without having granted him a fair and impartial hearing before the Superintendent within ten (10) days after notice.
- (2) That the discipline imposed upon Dispatcher F. L. Nelson was unreasonable and unwarranted in that the Seaboard Air Line Railway Company failed to prove that he was guilty of the offenses with which he was charged during an investigation.
- (3) That the record of Dispatcher F. L. Nelson be now cleared of the charges and that he be reimbursed by the Seaboard Air Line Railway Company in the amount of \$349.46, which includes compensation for twenty-seven (27) days on which he was entitled to perform service and on which he was prevented from performing service by reason of having been suspended, in the amount of \$335.61, and for expenses incurred by reason of his being required by the Company to attend an investigation at Americus Shops on August 10th and 11th, 1945, amounting to \$13.85.

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 employees involved in this dispute are respectively carrier and employees 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 June 20, 1946 the parties jointly 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 27th day of June, 1946.