

Award No. 3282

Docket No. TE-3362

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

LEHIGH VALLEY RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on Lehigh Valley Railroad, that:

1. The Carrier acted capriciously and arbitrarily when, on April 3, 1945, it disciplined Towerman-Telegrapher P. M. Anthony, regularly employed at the Lehigh Valley Tower, by placing twenty (20) demerits against his service record for alleged misrouting freight Extra 493 West from main track No. 1 to Yard Track No. 5 instead of Yard Track No. 9 in the Packerton westbound freight yard on the night of March 18-19, 1945, and
2. that, since Anthony was not proved guilty of the offense as charged the discipline administered against his service record shall be removed and his service record cleared of the charge.

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, 1946, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

A W A R D

Case dismissed.

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

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 8th day of August, 1946.