

Award No. 6490

Docket No. TD-6754

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION

**THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY (Western Lines)**

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

(a) The Atchison, Topeka and Santa Fe Railway System, hereinafter referred to as "the Carrier," should have complied with request of Train Dispatcher H. B. Massey, which request was made by the latter in a letter addressed to his then Superintendent, Mr. W. C. Baisinger, in which Mr. Massey revoked any then allegedly existing authority, either written or implied, providing for the Carrier making deductions from Mr. Massey's earnings for hospital dues, and in which he asked that such deductions be discontinued as of January 1, 1951.

(b) The Carrier shall now refund to Mr. H. B. Massey the amount of \$5.00 deducted from his earnings in January, 1951, and in the amount of \$5.00 for each month thereafter until and including May, 1952, after which the Carrier belatedly complied with Mr. Massey's request.

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 and concluded. Under date of February 12, 1954, the parties jointly 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.

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AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 15th day of February, 1954.