

Award No. 8522
Docket No. TE-10168

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE NEW YORK CENTRAL RAILROAD (Eastern District)
(except Boston Division)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central System (Buffalo and East) that:

1. Carrier violated Article 32 of the Telegraphers' Agreement when it required Mr. H. J. Finke, Agent at Fleetwood, New York, to restore a burglary loss of \$227.00 without being accorded a fair and impartial hearing.

2. Carrier shall now reimburse Mr. Finke in the amount of \$227.00, with interest at the rate of 6% beginning September 28, 1956, plus any lost time and other expenses incurred as a result of the incident.

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 the complainant party; and

That no hearing thereon has been held, and under date of October 28, 1958, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 13th day of November, 1958.