

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISIONAward No. 30073  
Docket No. MS-31612  
94-3-93-3-557

PARTIES TO DISPUTE: (Charles H. Bochmann  
(  
(Chicago and North Western Transportation  
( Company

STATEMENT OF CLAIM:

- "1. Appeal of assessment of ten day actual suspension per Discipline Notice No. 110 dated September 17, 1991 for Mr. Bochmann's alleged responsibility for not maintaining system machine No. 17-4132 (1150 Case Dozer) properly when you failed to change oil in machine and the log book bears this out when same was reviewed by an office on July 11, 1991 (sic)."
2. Discipline Notice No. 110 must be removed from Mr. Bochmann's record and he must be made whole for all losses as a result of said discipline."

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

By a January 17, 1993 letter, Claimant filed Notice with this Board of his intent to file a submission concerning an "unadjusted dispute." Subsequently, on December 17, 1993, the Interim Secretary to the Board wrote Claimant indicating that his Submission had not been received and advised that he had until January 3, 1994 "to file said submission." No response was received from Claimant.

Inasmuch as the Petitioner has not advanced a matter to this Board on which it can act, the Board must deny the matter. First

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Division Awards 19808, 22230, Third Division Awards 19849, 22065,  
and Fourth Division Award 3970.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest: Catherine Loughrin  
Catherine Loughrin, Interim Secretary to the Board

Dated at Chicago, Illinois, this 17th day of February 1994.