

Award No. 885
Docket No. TE-941

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**THE ORDER OF RAILROAD TELEGRAPHERS
THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY
COMPANY**

(Frank O. Lowden, James E. Gorman, Joseph B. Fleming, Trustees)

STATEMENT OF CLAIM: "Claim of the General Committee of The Order of Railroad Telegraphers, Chicago, Rock Island and Pacific Railway, that the carrier has violated its agreement with its telegraphers by declaring abolished the agency at Havelock, Nebraska, (a position incorporated in said agreement), and transferring the duties of that position to the jurisdiction of the agent at Lincoln, Nebraska, (a position not covered by the Telegraphers' agreement); has further violated, and continues to violate, said agreement by permitting communications of record originating at, or destined to, Havelock to be regularly handled by various of its employes not covered by the Telegraphers' agreement and by employes of the Aden Grain Company located at Havelock; that a position of agent-telegraph at Havelock shall be bulletined and filed in accordance with the provisions of said Telegraphers' agreement."

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.

No hearing thereon has been had, and under date of July 7, 1939, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case.

AWARD

Case dismissed.

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

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 11th day of July, 1939.