

Award No. 1960
Docket No. TE-1938

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE ATCHISON, TOPEKA & SANTA FE RAILWAY
COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers, Atchison, Topeka & Santa Fe Railway Company, that (a) the carrier has violated and continues to violate the Telegraphers' Agreement at Wellesville, Kansas, Gardner, Kansas, Wakarusa, Kansas, Hillsboro, Kansas Collinsville, Oklahoma, Gage, Oklahoma, Fort Stockton, Texas, Alpine, Texas, Higgins, Texas, Whitdeer, Texas, Panhandle, Texas, Perryton, Texas, and Hereford, Texas, whereat the carrier has contracted with persons, designated by it as telegraph-apprentices, not covered by said Agreement, to perform, outside of the agents' assigned hours, work covered by the Agreement which is regularly assigned to and performed by agents and/or other Telegraph Schedule employes at these points during their assigned hours, and (b) the agents at the stations mentioned above be retroactively and currently paid under the provisions of the Call and Overtime rules of the Agreement for each occasion on which those persons not covered by said Telegraphers' Agreement have performed or may perform the aforementioned work.

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;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of September 9, 1942 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 14th day of September, 1942.