

Award No. 2879

Docket No. TE-1216

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**

**CHICAGO, INDIANAPOLIS & LOUISVILLE RAILWAY CO.**

(Holman D. Pettibone, Trustee)

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on Chicago, Indianapolis & Louisville Railway that the carrier on August 24, 1939, under the guise of declaring abolished the telegraph position for the Northern Division in "AD" General Telegraph Office at Lafayette, Indiana, by transferring the work of the position to employees not under the Telegraphers' Agreement, violated the terms of said Agreement; that Telegrapher W. F. Britton, the regularly assigned incumbent of the telegraph position was improperly removed from this position on said date and improperly allowed to displace Telegrapher J. E. Shough from his regularly assigned position of telegrapher for the Southern Division in "AD" General Telegraph Office with resulting improper displacements; that this telegraph position for the Northern Division in "AD" General Telegraph Office shall be restored to the Telegraphers' Agreement, and Telegrapher Britton who was improperly removed, and Telegrapher Shough and all other employees who were improperly displaced from their regularly assigned positions, shall be restored to their former positions, and all such employees affected, including extra employees who were thereby deprived of the opportunity for work, shall be compensated for all wage loss sustained and paid for all expense incurred by them as a result of this unilateral action of the Carrier.

**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; and

That no hearing thereon has been held, and under date of March 22, 1945, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 28th day of March, 1945.