

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**LEHIGH VALLEY RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the American Train Dispatchers Association that:

(a) The Lehigh Valley Railroad Company violated Article 1 of the existing agreement between the parties effective July 1, 1938 and amended December 26, 1940, when it, on February 4, 1946, abolished the positions of Chief Dispatcher and on February 10, 1946, abolished the positions of Assistant Chief Dispatchers at Jersey City, Wilkes-Barre and Buffalo and thereupon transferred certain work theretofore performed by incumbents of those positions to Trick Dispatchers (not classified as Chief and Assistant Chief Dispatchers) and transferred other work theretofore performed by Chief and Assistant Chief Dispatchers to other employees not within the scope of the Train Dispatchers' agreement.

(b) The Lehigh Valley Railroad Company be now required to confine the work defined as that of Chief and Assistant Chief Dispatchers to employees within the scope of the agreement between the Carrier and its Train Dispatchers and to place each employee performing such service in a payroll classification which conforms with such service.

(c) The Lehigh Valley Railroad Company shall now compensate each person covered by the existing agreement between the Carrier and its Train Dispatchers represented by the American Train Dispatchers Association, for all monetary losses sustained because of the violation of Article 1 of that agreement, as set forth in paragraph (a) of this claim, from the time Carrier commenced said violation until the violation ceases as requested in paragraph (b) of this claim.

(d) The Carrier shall now compensate all Trick Dispatchers at Jersey City, Wilkes-Barre and Buffalo at Assistant Chief Dispatchers rate for each and every day on which they perform service coming within the defined classification for Assistant Chief Dispatcher as set forth in amendment to Article 1 of the agreement, effective December 26, 1940, and established by custom and practice on this Carrier, from the time Chief Dispatcher positions were abolished on February 4, 1946, and Assistant Chief Dispatcher positions were abolished on February 10, 1946, until these positions are given a proper payroll classification as required by said Article 1 of the agreement and paragraph (b) of this claim.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

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

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That hearing thereon has been held and concluded. Under dates of July 24, 1947 and September 19, 1947, the respective parties advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, 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 22nd day of September, 1947.