

Award No. 5037
Docket No. TE-5267

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**THE ORDER OF RAILROAD TELEGRAPHERS
TENNESSEE CENTRAL RAILWAY COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Tennessee Central Railway Company that extra agent-operator J. D. Ruffner who was available but not used to provide vacation relief work on the agent-operator position at Silver Point, Tennessee, shall be compensated for 8 hours pay on each date April 4 to 16, 1949, inclusive, except Sunday, April 10, 1949, at the rate of \$1.27 per hour as a result of the Carrier's action in depriving Claimant J. D. Ruffner of work to which entitled on those dates on a seniority basis.

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 September 18, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting the withdrawal of this case, which request is hereby granted.

AWARD

Case dismissed.

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

**ATTEST: A. I. Tummon
Acting Secretary**

Dated at Chicago, Illinois, this 21st day of September, 1950.