

Award No. 5065
Docket No. TE-5323

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Central Railroad Company of New Jersey, that:

- (1) the Carrier violated the terms of the Telegraphers' Agreement when and because it permitted or required train conductors to handle train orders at Lakehurst, New Jersey, outside the assigned hours of the operator-clerk; and
- (2) in consequence of said violation the Carrier shall be required to compensate the incumbents of the Lakehurst operator-clerk position on the "call" basis for each of the violations on the dates listed in the Employees' Statement of Facts, and as well a "call" payment for any similar violations subsequent to December 1, 1949.

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 the complainant party; and

That no hearing thereon has been held, and under date of October 4, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of the 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 17th day of October, 1950.