

Award No. 5118
Docket No. TE-5391

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE NEW YORK, NEW HAVEN AND HARTFORD
RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The New York, New Haven and Hartford Railroad Company, that:

- (1) the Carrier violated the terms of the prevailing agreement between the parties when it required and/or permitted train service employes to perform block operator and telephone operator functions at Winsted, Connecticut, at times when the operator-clerk employed at Winsted Station was not on duty; and
- (2) in consequence of such violation, the Carrier shall pay to the employe filling the said operator-clerk's position at Winsted, Connecticut, in accordance with the Call and Overtime Rules, beginning October 27, 1948, and continuing each day thereafter that such violation exists, because not called to perform work that is his under the agreement.

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 November 21, 1950, the complainant party addressed a formal communication to the Acting 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 28th day of November, 1950.