

Award No. 7257
Docket No. TE-7227

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE NEW YORK CENTRAL RAILROAD COMPANY (Line West)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The New York Central Railroad (Line West), that:

(1) The Carrier violated the agreement between the parties when on January 29, 1952, it required or permitted Engineer of Train X-78, an employe not subject to said Agreement, to handle and deliver Train Order No. 3 and clearance Form A, affecting movement of Train TFW-1, Engine 1456, from Bryan, Ohio, to Edgerton Switch, Ohio, by carrying said Train Order from Edgerton Switch to Mina, Ohio, and by making delivery of said Train Order to Engineer and Conductor of Train TFW-1, Engine 1456, the employes to whom such order was addressed.

(2) The Carrier shall be required to compensate the senior idle employe under the Agreement on seniority district No. 5, who was idle on January 29, 1952, and entitled to perform the work equivalent to eight hours (one day) for such violation as shown in Paragraph (1). The hourly rate to be based on the minimum hourly wage rate for a telegrapher position on such Division. The name of employe entitled to such compensation to be determined by joint check of Carrier's records.

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 hearing thereon has been held and concluded. Under date of February 21, 1956, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 19th day of March, 1956.