

Award No. 7269
Docket No. TE-7538

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. Carrier violated the agreement between the parties when on May 3, 10, 17, 24, 31, June 7, 14, 21, July 19, August 2, 9, 16, 23, 1952 and all subsequent rest days, it failed to compensate Agent-Operator L. D. Graham, at Spore, Ohio, an amount equivalent to eight (8) hours, at the rate of time and one-half, on each of the above enumerated Saturday (rest days) on which he performed work in excess of three (3) hours within the hours of his week day assignment.

2. Carrier shall now compensate Agent-Operator Graham for the difference between the amount paid him under the "Call" rule, and the eight (8) hours at the time and one-half rate, for the services performed on the enumerated Saturday rest days and all subsequent rest days he was entitled to such compensation.

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 February 21, 1956, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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.