

Award No. 7271
Docket No. TE-7577

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 on the New York Central Railroad, Line West of Buffalo, that:

1. The Carrier violated the terms of the Agreement between the parties when it failed to call and assign Telegrapher R. M. Higley at Bellevue, Ohio, whose regular hours are 2:00 P. M., to 10:00 P. M., to perform the service required on his position, Saturday, June 21, 1952, a rest day; instead of calling H. G. Hurst, Agent-telegrapher, whose hours were 6:00 A. M., to 2:00 P. M.

2. Because of its failure to call Telegrapher R. M. Higley to perform the work aforesaid the Carrier shall compensate him on the basis of four (4) hours and forty-five (45) minutes at the time and one-half rate, as prescribed in the rules, the same as he would have received had he been called.

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.