

Award No. 7276
Docket No. TE-7686

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 that:

1. The Carrier violated the terms of the agreement between the parties when on Friday, November 28, 1952, it failed to assign E. J. Dutton, who was senior, idle, available and entitled to perform the work on Position No. 56 in "SC" Relay Office, Chicago, Illinois, a seven day position, from 4 P. M. to 7 P. M., when neither the regular occupant nor any extra employe was available.

2. The Carrier shall compensate E. J. Dutton for 3 hours at the time and one-half rate for November 28, 1952, as he was entitled to the work.

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.