

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 of Buffalo, that:

1. The Carrier violated the terms of the Agreement between the parties when on June 12, 1949, it permitted or required an employe not subject to said agreement, to perform the function of a block operator and/or telegrapher at Terre Coupee, Indiana.

2. As a consequence of this violation, the Carrier shall compensate the senior idle employe an amount equal to a day's pay at the minimum rate for the same class of service in effect on that district.

NOTE: A joint check of Carrier's records to be made for the purpose of determining the individuals under the agreement entitled to receive the pay.

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 November 8, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 20th day of November, 1956.