

Award No. 7794
Docket No. TE-7832

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Denver and Rio Grande Western Railroad that:

(1) That Carrier violated the provisions of the Agreement between the parties when and because it failed and refused to compensate Agent-Telegrapher W. M. Fowles, Salina, Utah, at the rate of time and one-half for service performed on Friday, a rest day, January 28, 1955;

(2) That Agent-Telegrapher Fowles, Salina, Utah, shall now be paid the difference between straight time rate, which he was paid, and the rate of time and one-half, which he should have been paid under the terms of the Agreement.

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 March 5, 1957, 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 15th day of March, 1957.