

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE DELAWARE, LACKAWANNA AND WESTERN
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Delaware, Lackawanna & Western Railroad, that:

1. The Carrier is in violation of the agreement between the parties signatory thereto when, at Berwick, Pennsylvania, on April 2, 1953 and at Paterson Jct. Tower, on April 25, 1954, it required or permitted employees holding no rights under the Telegraphers' Agreement to perform work belonging to employees under said agreement; and

2. The Carrier shall, in consequence of such violations, be required to pay H. Dalto a call (2 hours at the time and one-half rate), for Thursday, April 2, 1953, and E. W. Runn a Sunday rest day call (3 hours at the time and one-half rate), for Sunday, April 25, 1954.

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 December 5, 1958, 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 18th day of December, 1958.