

Award No. 8608
Docket No. TE-9620

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 and Western Railroad, that:*

(1) The Carrier violated Articles 4 and 5 of the National Vacation Agreement of 1941; Supplemental Vacation Agreement of 1945, and interpretations thereon as set forth in Article 29 of the Agreement, and Article 1, Section 4 of the August 21, 1954 Agreement, when it failed to give R. Pascoe timely notice of the deferment of his assigned vacation period.

(2) The Carrier shall now compensate R. Pascoe a day's pay at the time and one-half rate for work performed April 5, 6, 7, 8 and 9 during his assigned vacation period, in addition to the eight (8) hours at the pro rata rate already paid him for such service.

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

Case 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.