

Award No. 8616  
Docket No. TE-9699

**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) Carrier violated the Agreement between the parties when it failed and refused to confine Cycle Relief Position 2-A, Home Station, Binghamton Passenger Station to "WF" Office, and compelled the occupant of Cycle Relief Position 2-A to perform relief service at East Binghamton Yard Office.

(2) Carrier shall, because of such violation, pay the incumbent of Relief Position 2-A, one (1) hour travel time (30 minutes in each direction) at the pro rata rate (\$2.031) of the position at East Binghamton Yard, plus 40¢ (20¢ in each direction) in lieu of free transportation for December 7, 14, 28, 1955; January 4, 11, 25 and February 1, 1956, and on each subsequent date that he was compelled to travel outside the confines of "WF" Office at Binghamton Passenger Station, to perform relief 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 was waived and 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, 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.