

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 is in violation of the Agreement between the parties when it permits and requires train dispatchers at Scranton, Pennsylvania, employes not covered by the Agreement, to handle train orders and clearance cards for passenger trains.

2. Carrier shall, commencing June 24, 1956, pay to the senior idle telegraphers, extra in preference, a day's pay at the hourly rate of \$2.154 for each eight (8) hour shift around the clock, for the violations set forth above, and for each subsequent date so long as the violations continue; with a joint check of the records to determine the payee and the amount due.

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.