

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 and continues to violate the Agreement between the parties when, on Saturdays and Sundays, rest days of Claimants, it requires or permits employes outside the Telegraphers' Agreement to perform work, assigned to and performed by Claimants (Clerk-Operators) Monday through Friday at Utica Yard, Utica, New York.

(2) The Carrier shall, commencing June 24, 1956, and each Saturday and Sunday thereafter, so long as the violation continues, pay a "call" (in addition to that already allowed) to the incumbents of the 1st and 2nd shift Clerk-Operator positions at Utica Yard for the violation as charged above, with a joint check of Carrier's records to be made to determine the dates and payees.

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.