

Award No. 8622
Docket No. TE-9803

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 the Agreement between the parties, when on the 16th day of October 1956, it permitted or allowed an employe not covered by said Agreement to transmit a message of record by telephone from Johnsonburg, N. J. to the train dispatcher in Hoboken, N. J.

2. The Carrier shall, because of the violation set forth above, compensate the senior idle telegrapher, extra in preference, for eight (8) hours at the rate of \$2.082 per hour, (Minimum telegrapher's rate) for work denied. A joint check of Carrier's records to be made to determine payee.

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.