

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:

CLAIM NO. 1.

(A) The Carrier violated the Agreement between the parties when on Thursday, November 22, 1956 (Thanksgiving Day) it blanked the second shift position at Cortland Ticket Office, Cortland, New York, a seven day position.

(B) The Carrier shall, because of the violation set forth above, and for each subsequent holiday blanked, compensate C. H. Cooper, or his successor, eight (8) hours at the time and one-half rate in addition to the eight (8) hours pro rata paid him.

CLAIM NO. 2.

(A) The Carrier violated the Agreement between the parties when on Thursday, November 22, 1956 (Thanksgiving Day) it blanked the first, second and third shift positions at Jamesville, New York.

(B) The penalty claimed for the above violation is included in Claim No. 2 of Docket TE-8241 now before this Board, in the language "and on subsequent holidays," and is by reference thereto included in this submission as if quoted here word for word.

CLAIM NO. 3.

(A) The Carrier violated the Agreement between the parties, when on Thursday, November 22, 1956 (Thanksgiving Day) it blanked the first shift position in Scranton Yard Office, Scranton, Pennsylvania, a six day position.

(B) The Carrier shall, because of said violation set forth above, and for each subsequent holiday blanked, compensate W. E. Dougher

or his successor, eight (8) hours at the time and one-half rate in addition to the eight (8) hours at the pro rata paid him.

CLAIM NO. 4.

(A) The Carrier violated the Agreement between the parties, when on Thursday, November 22, 1956 (Thanksgiving Day) it blanked the third shift position "Z" Office Scranton, Scranton, Pennsylvania, a seven day position.

(B) The Carrier shall, because of said violation set forth above and for each subsequent holiday blanked, compensate J. J. McCrone or his successor eight (8) hours at the time and one-half rate in addition to the eight (8) hours at the pro rata paid him.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That both parties to this dispute waived oral hearing thereon;

That the Carrier and the Employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That 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.