

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, commencing Wednesday, March 27, 1957, and each Wednesday thereafter, it suspended A. J. Lampron from his regular assigned position, third shift towerman at West End Tower (Jersey City, New Jersey), and required him to fill a temporary vacancy on the second shift leverman's position at Grove Street Tower (Jersey City, New Jersey), in the absence of an emergency.

(2) The Carrier shall, because of the violation set forth above, pay A. J. Lampron a day's pay at the rate of his position for each Wednesday he was suspended therefrom, as provided by Articles 11 and 24; plus a day's pay at time and one-half rate of the second shift leverman's position at Grove Street Tower, less any amount paid for such services, in accordance with the provisions of Articles 5 (a) and 15 of the parties' Agreement. A joint check of Carrier's records to be made to determine the total compensation due Claimant.

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 no hearing thereon has been held, 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.