

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 parties' Agreement at Cheektowaga, N. Y. (East Buffalo Yard) when, effective June 7, 1957, it converted the spring switch and governing automatic signals at the eastbound pull-out to power operation, and assigned the work of operating said switches and signals, by remote control, to the Train Dispatchers at Buffalo, New York.

2. The Carrier shall, because of the violation set forth above, pay to each of three (3) idle employees, extra in preference, under the Telegraphers' Agreement, eight (8) hours' pay for each day (3 eight-hour shifts around the clock) at the minimum towerman's rate on the Division commencing June 7, 1957, and so long thereafter as the violation continues to exist, with a joint check of Carrier's records to determine the 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 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.