

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 parties' Agreement at Portland, Pa., when on April 19, 1957, it required or permitted Trainmaster Osterman, an official not covered by the Telegraphers' Agreement, to perform work attached to the positions of covered employees at this station.

(2) The Carrier further violated the Agreement at Portland, Pa., when on May 4, 1957, it required or permitted Car Inspector Crooks, an employee not covered by said Agreement, to transmit a message by telephone to the Train Dispatcher at Bangor, Pennsylvania.

(3) The Carrier, in addition, violated the Agreement at Bangor, Pa., when on May 4, 1957, it required or permitted the Train Dispatcher at Bangor, Pa., to receive a message over the telephone from Car Inspector at Portland, Pa.

(4) The Carrier shall, because of the violations set forth in Items 1 and 2 above, compensate Agent-Operator P. J. Sigafuss at Portland, Pa., a call, two hours at the time and one-half rate (\$7.3113) for each violation.

(5) The Carrier shall, because of the violation set forth in Item 3 above, compensate Agent-Operator J. B. Roberts at Bangor, Pa., a call, two hours at the time and one-half rate (\$6.957) of the position occupied.

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.