

Award No. 8651

Docket No. TE-10637

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 Agreement between the parties when, commencing February 25, 1957, at Scranton, Pa., it requires or permits employes outside the Agreement to handle track car lineups over a telephone located in the vicinity of Scranton Yard Office from the Operator in "X" office, Scranton Passenger Station.

2. The Carrier shall, because of the violation set forth above, pay the senior, idle telegrapher, extra in preference, a day's pay at the rate of the abolished telegrapher's position at Scranton Yard Office, for each and every day that the violation continues, with a check of the Carrier's records to be made to determine the payee and amount.

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 complainant party 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.