

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The New York, New Haven and Hartford Railroad that the Carrier violated the terms of the agreement between the parties to this dispute when:

1. (a) It failed and refused to properly compensate T. D. Mooney at the overtime rate, instead of the straight time rate, for the normal rest days of his regular assignment, which days he was required to work off his regular assignment.

(b) It required the said T. D. Mooney to suspend work on certain days which were the normal work days of his regular assignment.

2. The Carrier shall compensate Claimant T. D. Mooney the difference between the straight time paid and the time and one-half rate due on a day-to-day basis for January 2, 3, 9, 10, 16 and 17, 1955, the same dates being the normal rest days of his regular assignment, and which he was required to work off his regular assignment.

3. The Carrier shall also compensate Claimant T. D. Mooney at the pro rata straight time rate on a day-to-day basis for the dates of January 4, 5, 11, 12, 18 and 19, 1955, the same dates being normal work days of his regular assignment on which he was required to suspend work.

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 hearing thereon has been held and concluded. Under date of July 14, 1959, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of August, 1959.