

Award No. 9135
Docket No. TE-10744

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad, that:

1. Carrier violated the Agreement between the parties when it required Telegrapher-Clerk C. W. Norton, Conway, Arkansas to work the first three days of his 1957 vacation, August 23, 24 and 25, without giving him due notice of a deferment, and has refused to pay him at the time and one-half rate for those three days.

2. Carrier shall now pay C. W. Norton the amount due him at the time and one-half rate for August 23, 24 and 25, 1957.

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 was waived and under date of December 31, 1959, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 11th day of January, 1960.