

Award No. 9160
Docket No. TE-11493

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 failed and refused to pay J. B. Davis, Agent-Telegrapher, Brownell, Kansas, three hours at the time and one-half rate for service performed at Brownell on May 30, 1958, a holiday, which he was entitled to perform.

2. Carrier shall now pay claimant Davis the one additional hour at time and one-half rate for May 30, 1958.

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.