

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE NEW YORK CENTRAL RAILROAD BUFFALO AND EAST

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central Railroad, Buffalo and East, that

- (a) the Carrier violated the terms of the Telegraphers' Agreement when and because it unilaterally discontinued and declared abolished the position of third trick telegrapher-clerk at Massena, New York, between the period March 13, through and including March 22, 1948, as the work of the position was not abolished in fact, but remained to be performed; and
- (b) in consequence thereof the Carrier shall be required to reimburse Mrs. Irene D. Penny, the incumbent of the third trick position of telegrapher-clerk, for each day she was deprived of work by the improper act of the Carrier in abolishing this position.

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 complainant party; and

That no hearing thereon has been held and under date of September 7, 1948, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 9th day of September, 1948.