

Award No. 4400
Docket No. TE-4597

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 rules of the Telegraphers' Agreement when it denied payment of necessary actual expenses to Agent G. N. Phillips while away from place of employment to take examination in railroad operating rules outside assigned hours as ordered by Carrier, and
- (b) in consequence of such violation claimant shall now be paid necessary actual expenses for use of his privately owned automobile from Millerton to Pawling, New York and return, a distance of 70 miles at the prevailing rate of 7¢ a mile.

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 May 18, 1949, the complainant party addressed a formal communication to the Acting 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 25th day of May, 1949.

[972]