

Award No. 4425
Docket No. TE-4696

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
ATLANTIC COAST LINE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Atlantic Coast Line Railroad that the carrier violated the terms of the prevailing Telegraphers' Agreement.

(1) When effective February 3, 1946 and subsequent thereto it allegedly discontinued the three clerk-telegrapher positions in the Dunnellon, Florida, office on Sundays and holidays without in fact abolishing those positions and assigned the duties of the incumbents of those positions to employees not covered by the Telegraphers' Agreement; and

(2) that the employees who were regularly assigned to the Dunnellon, Florida, positions on February 3, 1946 and those who may have occupied such positions subsequent thereto shall each be compensated for 8 hours at the time and one-half rate for each Sunday and holiday on which they were improperly relieved by employees not covered by the Telegraphers' Agreement until September 26, 1948 when the practice was discontinued.

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 under date of June 8, 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 17th day of June, 1949.