

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE DELAWARE & HUDSON RAILROAD CORPORATION

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Delaware & Hudson Railroad Corporation:

(1) That the Carrier violated the terms of the Telegraphers' Agreement when it did not permit M. A. Melvin, the regularly assigned first trick Telegrapher-Clerk, Hudson, Pa., yard telegraph office to work on this position on his rest day of Tuesday, June 15, 1948, on which day neither the regular assigned relief employee nor an extra employee were available.

(2) That M. A. Melvin, who was available but not used to work on his rest day of Friday, June 15, 1948, shall be compensated for eight hours at time and one-half which he would have earned had he not been unjustly deprived of this work.

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 January 25, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of 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 27th day of January, 1950.