

Award No. 4860
Docket No. TD-5127

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION

GULF COAST LINES

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that:

(a) Action on part of the Gulf Coast Lines was improper and contrary to the intent of agreed upon rules when on September 29, 1949 the Carrier failed to call and use Extra Train Dispatcher John H. Green to perform work which falls within the scope of the train dispatcher craft or class, as that work is described and prescribed by Article I-(b-2) of the current agreement and when in violation of Paragraphs 6 and 7, Rule 525, of the Carrier's "Questionnaire on Supplement to the Uniform Code of Operating Rules", Carrier permitted the control operator at Angleton, Texas (an employe not subject to the 'Train Dispatchers' Agreement) to perform work which John H. Green was contractually entitled to perform, and

(b) The Gulf Coast Lines shall now compensate Extra Train Dispatcher John H. Green in the amount of \$19.30 representing a day's pay as train dispatcher which he would have earned had he been called and permitted to perform the train dispatcher work which on September 29, 1949 was performed by the control operator at Angleton, Texas.

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 10, 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 19th day of May, 1950.