

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS  
LEHIGH VALLEY RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on the Lehigh Valley Railroad, that:

- (1) the Carrier violated the terms of the agreement between the parties, effective February 1, 1948, when on July 24, 1949, it required or permitted an employe outside the scope of said agreement to handle (copy) a train order at Flemington Junction, New Jersey; that,
- (2) as a result of this violative act the agent-telegrapher at Flemington Junction shall be compensated in accordance with Rule 32—(Handling Train Orders) and Rule 7, Section 2 (b)—(Call on Rest Day), of which he was improperly deprived.

**FINDINGS:** The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That both parties to this dispute waived oral hearing thereon;

That the Carrier and the Employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That under date of August 28, 1950, the parties addressed a formal communication to the Acting Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division 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 11th day of September, 1950.