

Award No. 5037
Docket No. TE-5267

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
TENNESSEE CENTRAL RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Tennessee Central Railway Company that extra agent-operator J. D. Ruffner who was available but not used to provide vacation relief work on the agent-operator position at Silver Point, Tennessee, shall be compensated for 8 hours pay on each date April 4 to 16, 1949, inclusive, except Sunday, April 10, 1949, at the rate of \$1.27 per hour as a result of the Carrier's action in depriving Claimant J. D. Ruffner of work to which entitled on those dates on a seniority basis.

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 September 18, 1950, the complainant party addressed a formal communication to the Acting Secretary of the Third Division requesting the withdrawal of this case, which request is hereby granted.

Case dismissed.

AWARD

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 21st day of September, 1950.