

Award No. 5145  
Docket No. TE-5398

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE PENNSYLVANIA RAILROAD COMPANY

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on The Pennsylvania Railroad, that with the issuance of General Order No. 703, November 4, 1946, to become effective 12:01 A.M., November 7, 1946, violated the Telegraphers' Agreement with the closing of "Spencer" Block Station when all the work of the position was not abolished in fact and instead continued to be performed by employees not under the coverage of the Telegraphers' Agreement, and further, "Spencer" shall be restored; regular assigned employees restored to their regular positions; and all employees reimbursed for all losses in earnings, expenses and travel time caused by this violation.

**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 the complainant party; and

That no hearing thereon has been held, and under oath of November 27, 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 13th day of December, 1950.