

Award No. 5381

Docket No. TE-5481

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

J. Glenn Donaldson, Referee

PARTIES TO DISPUTE:

**THE ORDER OF RAILROAD TELEGRAPHERS
SOUTHERN PACIFIC COMPANY (PACIFIC LINES)**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Southern Pacific Company, (Pacific Lines)—

- 1—that the Carrier violated and continues to violate the rules of the current agreement between the parties when it declines to permit the General Chairman and/or the General Secretary and Treasurer of the Order of Railroad Telegraphers to represent an employe at a hearing under the provisions of Rule 19, Section (b)-3 and Rule 26, Section (b)-2, and
- 2—that General Officers are subject to the current agreement therefore are privileged and entitled to represent employes at a hearing.

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 by Joint Submission; and

That under date of June 27, 1951 the parties jointly advised the Acting Secretary of the Third Division of their desire to withdraw 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 28th day of June, 1951.