

Award No. 5825
Docket No. TE-6099

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE DENVER & RIO GRANDE WESTERN RAILROAD
COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Denver & Rio Grande Western Railroad, that,

- (1) Carrier violated, and continues to violate the Agreement between the parties hereto, when it required and continues to require employees, not under said agreement to receive, transmit, and handle communications of record at Green River, Utah, during the hours when the telegraphers assigned at such point were and are off duty, but available for call; and
- (2) That Agent-telegrapher M. E. Peterson or others entitled thereto be compensated in accordance with the Call Rule, for each occasion since December 15, 1950, that such violations have occurred as shown by the evidence herein, or revealed by check of communications of record, at Green River, Utah.

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 April 10, 1952, 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.

Case dismissed.

A W A R D

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Acting Secretary

Dated at Chicago, this 24th day of June, 1952.