

Award No. 6634

Docket No. TE-6853

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

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OF TEXAS**

STATEMENT OF CLAIM: Claim of the System General Committee of The Order of Railroad Telegraphers that:

(a) The St. Louis Southwestern Railway Company violated the spirit, intent, and letter of the Telegraphers' Agreement when and because its Assistant Superintendent J. T. Hall did, under date of January 22, 1953, cite Telegrapher L. N. Gaines, Sr., Fordyce, Arkansas, for investigation to be held at Pine Bluff, Arkansas, 9:00 A. M., January 28, 1953 (Investigation held February 11, 1953), in a matter which had previously been handled by Division Superintendent J. L. Humphreys and disposed of by him on January 10, 1953; and,

(b) As a result of such subsequent handling of a subject matter which had already been settled and disposed of, Telegrapher Gaines shall be compensated:

Equivalent to 8 hours' pay, pro rata rate, for January 10, 1953; equivalent to 8 hours' pay, time and one-half rate, for February 11, 1953, his assigned rest day, and seven (7) cents per mile for the use of his automobile in going to and returning from Pine Bluff where he attended the said investigation, plus expenses for meals.

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 hearing was waived and under date of May 17, 1954, the parties jointly addressed a formal communication to the 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 21st day of May, 1954.