

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE NEW YORK CENTRAL RAILROAD COMPANY
(Line West)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central Railroad (Line West of Buffalo), that:

Case No. 1

1. The Carrier violates the provisions of the Agreement between the parties hereto, when it failed and refused to compensate J. E. Simpson at the rate of time and one-half for work performed Monday, July 7, 1952, on Relief Assignment No. 30 at Nitro, West Virginia, and Tuesday, July 8, 1952, on Relief Assignment No. 6 at Meigs, Ohio, after having completed forty hours in his work week.
2. Carrier further violated said agreement when it failed to use extra telegrapher H. H. Stanley, Jr., at Nitro, on July 7, and at Meigs, on July 8, 1952, instead of extra telegrapher J. E. Simpson.
3. Carrier shall compensate J. E. Simpson for the difference between the straight time rate paid and the time and one-half rate due for services performed as aforesaid.
4. Carrier shall compensate H. H. Stanley, Jr., on District 10, for July 7 and 8, 1952, at straight time rate for 8 hours on each day, because not used to perform service to which he was entitled.

Case No. 2

1. The Carrier violated the provisions of the Agreement between the parties hereto, when it failed and refused to compensate J. S. Treese at the rate of time and one-half for work performed Sunday, June 1, 1952, on first shift at Albany, Ohio, after having completed forty hours in his work week.
2. Carrier further violated said agreement when it failed to use extra telegrapher H. H. Stanley, Jr., at Albany, Ohio, June 1, 1952, instead of extra telegrapher J. S. Treese, who had already worked 40 hours in his work week.
3. The Carrier shall compensate J. S. Treese for the difference between the straight time paid and the time and one-half rate for services performed as aforesaid.

4. The Carrier shall compensate H. H. Stanley, Jr., on District 10, for June 1, 1952 at straight time rate for eight hours, because not used to perform the work at Albany, Ohio, to which he was entitled.

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 thereon has been held and concluded. Under date of June 24, 1955, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 15th day of July, 1955.