

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 that:

(1) The Carrier violated the terms of the Agreement between the parties when on January 5, 1951, it required or permitted Conductor H. Bosier of Train No. 93 to handle, copy and deliver Train Order No. 121, and Clearance Form A, and perform the work of a block operator at Batavia, Michigan.

(2) The Carrier shall compensate the senior idle employe under the agreement on seniority district No. 5, who was idle on January 5, 1951, and entitled to perform the work, an amount equivalent to a day's pay at the rate applicable to work at Batavia.

NOTE: A joint check of Carrier's record to be made for the purpose of determining who was the senior idle employe entitled to receive the pay on the date involved.

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 November 8, 1956, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 20th day of November, 1956.