

Award No. 7797

Docket No. TE-8812

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

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

(1) Carrier violated Rules 1 and 21 of the current Agreement when, effective December 1, 1955, it abolished all the telegrapher positions at the Passenger Station at Grand Junction, Colorado, and transferred the work previously done by telegraphers to employees not under the Telegraphers' Agreement; further by instructing trainmen and/or conductors to seek permission from the dispatcher on duty to depart from Grand Junction and check the messages addressed to them with the dispatcher before being permitted to depart from the Passenger Station at Grand Junction;

(2) Carrier also violated the terms of the Special Agreement executed between the parties on August 21, 1954, specifically Article V, Carrier's Proposal No. 7, Section 1, Paragraph (a), when superintendent Coleman failed to specify a reason for denying the claim;

(3) Carrier shall therefore be required to compensate the senior idle telegrapher on the Grand Junction Division for one day's pay for each and every occasion that the above-described violation takes place, not to exceed three telegrapher days in each 24 hours; this claim to commence December 1, 1955, and continue until this violation is corrected.

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 but not concluded, and under date of March 5, 1957, the parties addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, 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 15th day of March, 1957.