

Award No. 8406
Docket No. TE-10024

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE CHESAPEAKE AND OHIO RAILWAY COMPANY
(Pere Marquette District)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Chesapeake and Ohio Railway, Pere Marquette District, that:

1. The Carrier violated and continues to violate the provisions of the Agreement between the parties when it requires or permits employe holding no rights under the scope of said Agreement at Michigan City, Indiana, to transmit and receive messages and reports of record by teletype.

2. Carrier shall compensate the senior idle telegraphers (extra in preference) a day's pay at the Operator-Clerk's rate on each day the violation occurs commencing August 30, 1956 and continuing thereafter until the 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 no hearing thereon has been held, and under date of June 27, 1958, the complainant party 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 10th day of July, 1958.