

Award No. 8407
Docket No. TE-10221

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE CHESAPEAKE AND OHIO RAILWAY COMPANY
(Chesapeake District)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Chesapeake & Ohio Railway (Southern Region) that:

1. The Carrier violated and continues to violate the provisions of the agreement between the parties when it requires or permits employes holding no rights under the scope of said agreement at the Yard Office, Gauley, West Virginia, to transmit and receive communications of record by teletype; and

2. If the Carrier elects to continue the performance of this communications work of record at the Yard Office at Gauley, it shall be assigned to and performed by employes coming under the Telegraphers' Agreement in accordance with the rules of said agreement; and

3. For each 8 hour period of each day, commencing February 15, 1957, and continuing until the violations are corrected, the Carrier shall be required to pay the employes under said agreement, on the seniority district, an amount equal to 8 hours' pay at the established rate for such work.

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 the dates of June 27 and July 2, 1958, the parties separately addressed formal communications 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.