

**Award No. 8585**

**Docket No. TE-8238**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**

**THE DELAWARE, LACKAWANNA AND WESTERN  
RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on The Delaware, Lackawanna and Western Railroad, that:

1. The Carrier violated and continues to violate the provisions of the Agreement between the parties signatory thereto, when it abolished the position of Agent at Belfast Jct., Pennsylvania, without in fact abolishing the work of said position; and,

2. If the Carrier elects to continue the performance of the work formerly embraced by the Agent's position at Belfast Jct., at this location, it shall be performed by, and be assigned to, employees coming under the Agreement; and,

3. The Carrier shall, by an appropriate order of your Board, commencing June 9, 1953 and each subsequent day or until all of the work formerly performed by the agent at Belfast Jct., is returned to the Telegraphers' class and craft, pay to the senior idle employees, extra in preference, a day's pay of 8 hours at the former rate of the abolished position at Belfast Jct., such payee to be determined by joint check of the Carrier's records; and,

4. Any other employe under the Agreement who was adversely affected by Carrier's improper abolishment of the Agent's position at Belfast Jct., shall be compensated for any loss in wages and/or expenses incurred by reason of Carrier's violative action.

**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 December 5, 1958, 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 18th day of December, 1958.