

Award No. 8588
Docket No. TE-8241

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE DELAWARE, LACKAWANNA AND WESTERN
RAILROAD COMPANY

STATEMENT OF CLAIM:

CLAIM NO. 1

Carrier violated the terms of the Telegraphers' Agreement when and because it blanked both the second trick and third trick, seven-day operator positions at B&O Junction December 25, 1954, January 1, 1955, May 30, 1955, July 4, 1955 and subsequent holidays; in consequence thereof the incumbents of the positions on said holidays shall be additionally paid eight (8) hours at time and one-half rate.

CLAIM NO. 2

Carrier violated the terms of the Telegraphers' Agreement and disregarded its advertising bulletins when and because it blanked the first trick seven-day position, the second trick six-day position and the third trick five-day position at Jamesville May 30, 1955 and on subsequent holidays; in consequence thereof the incumbents of the positions on said holidays shall be additionally paid eight (8) hours at time and one-half rate.

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.

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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.