

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.

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.