

Award No. 8591
Docket No. TE-8289

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

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

STATEMENT OF CLAIM: Carrier violated the terms of the Telegraphers' Agreement when and because at various times January 26, 1955 through January 31, 1955 it required or permitted persons outside of the Telegraphers' Agreement to work as towermen in the East Buffalo Tower; in consequence thereof for each eight-hour trick as shown in the Employees' Statement of Facts, the senior idle employe, extra in preference, shall be allowed a day's pay at the East Buffalo Tower rate. The records to be jointly checked to determine the payees. This claim also covers subsequent dates.

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.