

Award No. 8598
Docket No. TE-8557

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 of the General Committee of The Order of Railroad Telegraphers on The Delaware, Lackawanna and Western Railroad, that:

1. The Carrier violated the Agreement between the parties when it required or permitted an employe not covered by the Telegraphers' Agreement to operate the interlocked switches and signals at West Secaucus on March 31, 1955, between the hours of 3:30 P.M. and 6:00 P.M.

2. The Carrier shall compensate the senior idle employe, extra in preference, an amount equivalent to eight (8) hours' pay at the straight time rate applicable (\$1.97 per hour), for work denied. The name of the employe entitled to payment to be determined by a joint check of Carrier's records.

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.