

Award No. 8608

Docket No. TE-9620

**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 Articles 4 and 5 of the National Vacation Agreement of 1941; Supplemental Vacation Agreement of 1945, and interpretations thereon as set forth in Article 29 of the Agreement, and Article 1, Section 4 of the August 21, 1954 Agreement, when it failed to give R. Pascoe timely notice of the deferment of his assigned vacation period.

(2) The Carrier shall now compensate R. Pascoe a day's pay at the time and one-half rate for work performed April 5, 6, 7, 8 and 9 during his assigned vacation period, in addition to the eight (8) hours at the pro rata rate already paid him for such service.

**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**

Case 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.