

**Award No. 8610**  
**Docket No. TE-9640**

**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, on May 7, 1956, it required or permitted employes not covered by the Telegraphers' Agreement at Scranton, Pennsylvania Yard Office, and at the Gouldsboro, Pennsylvania Ice House to transmit and/or receive messages by telephone.

(2) The Carrier shall, because of such violations, compensate:

(a) The senior idle telegrapher, extra in preference, a day's pay of \$16.08 for the Scranton Yard violation, and

(b) The next senior idle telegrapher, extra in preference, a day's pay of \$16.176 for the Gouldsboro violation,

proper claimants to be ascertained 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

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.