

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) D. Cuccherini, occupant of Cycle Position No. 4, Home Station, Tobyhanna Tower was improperly displaced therefrom on June 19, 1956 by R. Thomas, and as a result of such displacement,

(2) R. McCormick, regularly assigned second shift at New Milford, Pa., was improperly displaced by D. Cuccherini on June 27, 1956, causing McCormick to revert to the extra board.

(3) Carrier shall, in consequence of such improper displacements, pay:

(a) D. Cuccherini for time lost on June 19, 20, 21, 24, 25 and 26, (6) days at \$16.521 per day, total..\$99.072

For working at New Milford, June 27  
and 28, 1956:

June 27: Miles round-trip 136 miles at  
7¢ per mile.....\$ 9.52

2 hours each way, 4 hours travel time  
at \$2.04 per hour..... 8.16

June 28: Miles round-trip 136 miles at  
7¢ per mile..... 9.52

2 hours each way, 4 hours travel time  
at \$2.04 per hour..... 8.16

\$35.36

Grand Total .....\$134.43

(b) D. McCormick, June 27 at Stroudsburg Tower,  
Rate .....\$2.082

New Milford to Stroudsburg 92 miles  
one way, round-trip 184 miles at 7¢  
per mile .....\$12.88

Less amount paid 50 miles at 7¢ per mile .....	3.50	
	<u>          </u>	\$ 9.38

**Travel time 2 hours and 30 minutes or  
5 hours round-trip at \$2.082 per hour. . \$10.41**

Less 1 hour and 30 minutes paid..... 4.30  
\$ 6.11

June 28: 184 miles at 7¢ per mile.....\$12.88  
Travel time 5 hours at \$2.082 per hour 10.41  
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\$23.29

June 29: D. McCormick at Stroudsburg  
Tower, rate \$2.082

New Milford to Stroudsburg 92 miles  
one way, round-trip 184 miles at 7¢ per  
mile .....\$12.88

Less amount paid 50 miles at 7¢ per mile .....	3.50	
	<u>          </u>	\$ 9.38

Travel time 2 hours and 30 minutes or  
5 hours round-trip at \$2.082 per hour..\$10.41

Less 1 hour and 30 minutes paid..... 4.30

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\$ 6.11

Grand Total .....	<u>\$ 54.27</u>
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**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 was waived and 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, 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.