

Award No. 8923

Docket No. TE-9836

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York, New Haven and Hartford Railroad Company that:

The Agreement between the parties was violated when on May 20, 1956, Carrier improperly assigned T. Cantwell, regular occupant of the position of agent, Springdale, Connecticut, to perform extra service as ticket agent, Stamford, Connecticut on the rest day of his (Cantwell's) regularly assigned position at a time when V. E. Gay, qualified senior extra employe was available, but not used.

V. E. Gay shall now be compensated the equivalent of one day's (eight hours') pay at the rate of the position of ticket agent, Stamford, in addition to any other pay he received on that day, because denied service to which entitled.

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 July 14, 1959, 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 5th day of August, 1959.