

Award No. 8935
Docket No. TE-8379

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Order of Railroad Telegraphers on the Pennsylvania Railroad Company that:

Block Operator H. McClain, regularly assigned 4:00 P. M. to 12:00 Midnight at Glenmont, Ohio, or the oldest available extra operator who did not have 40 hours in week beginning August 24, 1953, for 8 hours at time and one-half for McClain or 8 hours straight time oldest extra operator available and who could have worked this violation. Claim based on meeting of trains Extra 8980 South and Extra 9499 North at Millersburg by train order No. 127.

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 August 13, 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: F. P. Morse
Acting Secretary

Dated at Chicago, Illinois, this 15th day of September, 1959.