

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 that a Yardmaster was stationed at "C" Tower from 7:00 A. M. to 9:00 A. M., on August 1, 2, 3, 4, 5, 8, 9, 10, 11, and 12, 1955 and performed work at "C" Tower which is the exclusive work of the Block Operators and in violation of the Scope Rule which prescribes the classes of employees entitled to perform work under the Telegraphers' Agreement.

Account of this violation, I hereby make claim for the following regular employees who were on their rest days and available to perform this service at "C" Tower:

Date	Claimant	Rest Days	Penalty Claim
August 1-8	J. A. Klukowicz	Sunday & Monday	Call
August 2-9	P. A. Lombardie	Monday & Tuesday	Call
August 3	E. J. O'Connor	Tuesday & Wednesday	Call
August 4-11	S. Ball	Wednesday & Thursday	Call
August 5	J. Schwartzberg	Thursday & Friday	Call
August 10	E. Schulkind	Extra Employee	Day's Pay
August 12	S. Halaiski	Friday & Saturday	Call

In accord with Regulation 4-T-1, claim is made for a call for the above mentioned employees in accordance with Regulation 4-F-1 (e) and 4-J-1 and a day's pay for E. Schulkind, extra employee, who was available to perform this service on August 10, 1955 in accord with Regulations 5-E-1 and 4-D-1.

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.