

Award No. 9140
Docket No. TE-10809

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad, that:

1. Carrier violated the terms of the Agreement between the parties when it refused and continues to refuse to pay Agent R. P. McVey the amount to which he was entitled for vacation August 5, 1957 to August 24, 1957, inclusive.

2. Carrier shall now compensate Claimant R. P. McVey for eighteen days' vacation, August 5, 1957 to August 24, 1957, inclusive, at the agent, Cotter, Arkansas rate less what he has already been paid for those dates (not including Sunday, August 11 and Sunday, August 18).

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 was waived and under date of December 31, 1959, 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

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 11th day of January, 1960.