

Award No. 9960
Docket No. TE-9168

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
NORFOLK AND WESTERN RAILWAY COMPANY
(The Virginian Railway Company)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Virginian Railway that:

1. Carrier violated the agreement when it refused to pay Relief Agent No. 2, at the time and one-half rate for work performed on his rest day at Princeton, West Virginia.
2. Carrier be required to pay L. C. Thompson the difference between the straight time rate and the time and one-half rate for 8 hours on October 16, 1955.

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 April 20, 1961, 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 26th day of May, 1961.