

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE NEW YORK CENTRAL RAILROAD, EASTERN DISTRICT
(Except Boston and Albany Division)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central (East) that:

1. Carrier violated and continues to violate the Agreement between the parties when, effective December 24, 1958, it declared abolished the position of Agent, Claremont Park, New York, without in fact abolishing the work of said position.
2. Carrier shall be required to reestablish the position of Agent, Claremont Park, New York, and to restore A. Carlini to said position.
3. A. Carlini, D. F. Dunne, J. P. McGrady and all other employees who have been displaced or adversely affected shall be restored to their former positions and compensated for all wages lost, for all time suspended from work, for all time worked outside the regularly assigned hours of the position from which removed, for travel and waiting time and for all necessary expenses incurred.
4. Commencing May 20, 1960, and each day thereafter that the violation continues, carrier shall be required to pay the senior idle extra employees (Appendix A) or if there be no extra employee available, the senior regular employee (Appendix B) on his rest day, for eight hours at the rate applicable to the position of Agent, Claremont Park, New York. (NOTE 1).
5. A joint check of the carrier's records shall be ordered to determine the names and amounts due employees as set forth herein.

NOTE 1: The specific name of the employee entitled to be paid each day the violation continues shall be determined by a joint check of carrier's records from the names in Appendix A and Appendix B or as these lists may be amended from time to time.

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 not held and under date of August 22, 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 27th day of October 1961.