

Award No. 1955
Docket No. TE-1908

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE ATCHISON, TOPEKA & SANTA FE RAILWAY
COMPANY**

STATEMENT OF CLAIM Claim of the General Committee of The Order of Railroad Telegraphers, Atchison, Topeka & Santa Fe Railway Company, that the telegrapher at Upland, California, assigned hours 4:00 p.m. to 12 o'clock midnight, weekdays, no Sunday assignment, is entitled to and shall be compensated under the provisions of the Call and Overtime rules of the Telegraphers' agreement on each of the following occasions:

(a) July 20, 1941, (Sunday) when train orders addressed to Engineman Engine 1376 at Upland, care C&E No. 2 at Los Angeles, were transmitted by the dispatcher to an operator at Los Angeles, thence delivered to C&E No. 2 for delivery to Engineman Engine 1376 at Upland; said orders governing the movement of Engine 1376 Upland to Broadway (Los Angeles).

(b) July 27, 1941, (Sunday) when train orders addressed to Engineman Engine 3722 at Upland, care C&E No. 2 at Los Angeles, were transmitted by the dispatcher to an operator at Los Angeles, thence delivered to C&E No. 2 for delivery to Engineman Engine 3722 at Upland; said orders governing movement of Engine 3722 Upland to Broadway (Los Angeles).

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 complainant party;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of September 9, 1942 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 14th day of September, 1942.