

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**

**ST. LOUIS SOUTHWESTERN RAILWAY COMPANY**

**STATEMENT OF CLAIM:** Claim of the System General Committee of The Order of Railroad Telegraphers on the St. Louis Southwestern Railway, that:

- (a) The Carrier violated the terms of the collective agreement (hereinafter referred to as the Agreement) between the parties when, on Saturdays January 16 and January 23, 1954, it required employes outside of the Agreement to handle train orders at Wyatt, Missouri, a one-man agency station, when there was no emergency and at a time when the agent-telegrapher was not on duty but subject to call pursuant to Article 6-4, and Article 7 (revised) Section 1 (m) II B (2); and that,
- (b) Carrier shall now compensate Agent-Telegrapher B. W. Powell, Jr., Wyatt, Missouri, for a call (two hours at overtime rate) for each of these days—January 16 and 23, 1954—just as though he had been called, as he should have been under the terms of the Agreement, to perform the work of handling the train orders in question.

**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 no hearing thereon has been held, and under date of February 10, 1955, the complainant party 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: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 17th day of February, 1955.