

Award No. 7778
Docket No. TE-9062

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

WESTERN MARYLAND RAILWAY COMPANY

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

1. Carrier violated the Agreement when on the 26th day of January, 1956, it caused, required or permitted Conductor Benson (a train service employe not covered by Telegraphers' Agreement) to handle (receive, copy and deliver) train order No. 216 at W. Va. C. Jct. (West Virginia).

2. Carrier will be required to compensate G. S. Barton, Operator W. Va. C. Jct., West Virginia, who was available but not called for one call, as provided in Rule 12.

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 28, 1957, 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 11th day of March, 1957.