

Award No. 7795
Docket No. TE-7841

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Denver and Rio Grande Western Railroad that:

1. That carrier violated the agreement between the parties when it required and permitted signal maintainer F. E. Smith to transmit messages (communications of record) at Kremmling, Colo., on March 13 and 20, 1955, at times the agent-telegrapher regular assigned at Kremmling was off duty but available for call;

2. That agent-telegrapher C. J. Lomax of Kremmling be compensated in accordance with the call rule for each occasion that messages (communications of record) were transmitted by the signal man from Kremmling on the dates aforesaid.

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 thereon has been held and concluded. Under date of March 5, 1957, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, 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 15th day of March, 1957.