

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Baltimore and Ohio Railroad, that:

1. Carrier violated the Agreement between the parties hereto when on November 23, 27, December 2, 9, 16, 17, 19, 21, 1956, and January 2, 20, 21 and 27, 1957, it caused, permitted and required train or engine service employes not covered by the Telegraphers' Agreement, on trains in the passing siding at Valier, Pennsylvania, to report over the telephone at Valier to the operator at Dayton, Pennsylvania, the time trains they were meeting at Valier passed that point, and to secure Form A, Part 4, permission to enter the main track at Valier and proceed.

2. Carrier shall compensate the hereinafter listed operators for one day on each date listed:

November 23, 1956, F. J. Adams
November 27, 1956, D. L. Lukehart
December 2, 1956, C. A. Groff
December 9, 1956, C. C. Lukehart
December 16, 1956, H. F. Rumbaugh
December 16, 1956, C. B. Parsall
December 17, 1956, J. H. Stahlman
December 19, 1956, D. C. Fetterman
December 21, 1956, Peter Tate
December 21, 1956, R. W. Weaver

and idle operator, extra in preference, for pay for one day on each of the following dates:

January 2, 1957
January 20, 1957
January 21, 1957
January 27, 1957

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 waived and under date of January 19, 1959, the parties *separately addressed formal communications* 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 4th day of February, 1959.