

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM: *Claim of the General Committee of the Order of Railroad Telegraphers on the Pennsylvania Railroad Company that,*

General Order No. 409 dated July 27, 1953, changing the Springfield Branch from Main track operation to Secondary Track operation, effective August 3, 1953, does not abolish the Block Operator's work formerly performed by Agent L. L. Wysong, at Yellow Springs, since the only change that has occurred is the substitution of verbal permission for written train orders for freight train operation and written permission in lieu of written train orders for passenger train operation to avoid penalty under Arbitration Award No. 153, and under National Railroad Adjustment Board Award No. 6097. Claim is made for L. L. Wysong, incumbent of the position, for each Saturday this violation continues and on each Monday through Friday for an idle extra Block Operator or, if none available, a call for each verbal permission granted, in lieu of a train order, formerly handled by the Agent at Yellow Springs, to be paid to the oldest idle regular man available that date. This claim is supplemental claim to Case No. 103 filed under main track operation and to continue the claim when changed to secondary track operation. Yellow Springs is an open Block Station closed since May 1, 1938 on first track.

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 August 13, 1959, 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: F. P. Morse
Acting Secretary

Dated at Chicago, Illinois, this 15th day of September, 1959.