

**Award No. 8972**  
**Docket No. TE-9490**

**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:

Claim of the General Committee of the O.R.T. that L. Fernandez, regularly assigned leverman "JO" Tower delivered New Haven Train Orders on October 26, 27, 28 and 29, 1955. As Rule 400-N-21, Book of Rules, provides that the Operator is responsible for the delivery of train orders, he submitted claim for the dates in question for the Operator's rate of pay account of performing Operator duties and which was denied. As he did perform the duties of the Operator he is entitled to the Operator's rate of pay and it is requested that it be allowed.

**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

The 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.