

Award No. 9093
Docket No. TE-9035

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

NORFOLK SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Norfolk Southern Railway that:

1. The Carrier violated the agreement between the parties when and because it permitted and/or required employees not covered by said agreement to handle the following train orders when no emergency existed:

Station	Date	Time	Order Number	Train Number	Copied by Conductor
Plankroad	9- 1-55	901p	119	98	Dunn
Elizabeth City	8-21-55	1023p	50	X1610	Oglesby
Middlesex	9-15-55	449p	62	45	Perry
Neverson	9-13-55	545p	56	64	May
Middlesex	9- 6-55	1228p	56	X1508	Dayton
Pyrax	10-31-55	1112p	67	49	Saunders
Moyock	9- 2-55	455a	30	63	Coulter
Neverson	9-16-55	326p	70	44	Perry
Elizabeth City	10-22-55	341p	36	63	*Stephenson
Plankroad	9-21-55	818p	73	49	Saunders
Elizabeth City	10- 8-55	509a	28	63	*Stephenson
Neverson	10-21-55	716p	58	44	Perry
Elizabeth City	10-19-55	313a	34	63	*Gibson
Elizabeth City	10-11-55	243a	26	64	*Stephenson
Neverson	9-30-55	350p	64	44	Wedding
Overgrade	11- 5-55	608p	58	64	May
Sylvaola	11- 7-55	119p	55	X1508	Lewis
Elizabeth City	11-25-55	1256a	22	63	*Stephenson
Rex	12-14-55	1101p	133	X1604	Smith
Belcross	12-31-55	159a	22	64	Gibson
Elizabeth City	1- 7-56	108a	22	64	*Stephenson
Elizabeth City	2- 9-56	150a	24	64	*Barnes
Pyrax	12- 7-55	1113p	97	X1607	Saunders
Winfall	12-14-55	1237p	46	X701	Oglesby

(* — Brakeman)

2. As a consequence of said violations the Carrier shall now be required to compensate the senior idle employe, extra in preference, for a minimum of a day's pay of eight (8) hours for each day that train orders were so handled at each of the points specified.

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 October 26, 1959, the parties jointly 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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of November, 1959.