

Award No. 9095
Docket No. TE-9380

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 employes other than those covered by the Agreement to handle (copy) the following train orders when no emergency existed:

Station	Date	Time	Order No.	Train No.	Copied by:
(a) Carolina Yard	1- 9-56	1245 pm	44	Opr.	Oglesby
(b) McCullers	2-24-56	236 pm	67	X-1506	Allen
(c) Middlesex	3-10-56	1239 pm	48	45	Flowers
(d) McCullers	3-21-56	1227 pm	75	X-1509	Byrd
(e) Elizabeth City	3-29-56	217 am	26	63	Comer
(f) Corinth	4- 5-56	228 pm	81	X-1502	Jeffries
(g) Corinth	4- 6-56	358 pm	77	X-1502	Jeffries
(h) Elizabeth City	4-18-56	157 am	24	64	Barnes
(i) Mile Post 172	5- 1-56	933 am	36	42	Winstead
(j) Alligoods	4-30-56	645 pm	46	99	Stephens
(k) Elizabeth City	5- 2-56	145 am	26	64	Barnes
(l) Mile Post 269	5-31-56	147 pm	75	X-1615	Byrd
(m) Stanfield	6- 8-56	1244 pm	73	X-1508	Jeffries
(n) Carbondon	6- 9-56	538 pm	73	98	Cox
(o) Middlesex	6-18-56	1223 am	22	99	Wedding
(p) Plankroad	7- 4-56	631 pm	55	63	Lewis
(q) Knightdale	7- 4-56	230 am	26	X-1509	Dismukes
(r) Plankroad	7-14-56	614 pm	69	63	Freeman
(s) Walstonburg	7-19-56	940 am	40	42	Winstead
(t) Elizabeth City	7- 7-56	122 am	24	64	Mims
(u) Mile Post 218.5	7- 5-56	650 pm	70	X-1508	Dismukes
(v) Mile Post 70	5-10-56	956 am	38	X-1505	Gibson
(w) Mile Post 254	7-11-56	121 pm	63	X-1503	Mann
(x) Mile Post 70	7-13-56	919 am	38	X-1506	Gibson

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 the above listed train orders were so handled at each of the points specified; except that at Carolina Yard the payment of a "call" shall be allowed to Operator-Clerk F. L. Courtney who was entitled to the work of a "call" at this point.

FINDINGS: The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board or 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.