

Award No. 9132
Docket No. TE-10605

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad, that:

1. Carrier violated Rule 1 (a) of the Telegraphers' Agreement when on June 22, 1957, it required or permitted Division Trainmaster R. H. Merriman, Atchison, Kansas, an officer of the Carrier and not covered by the Telegraphers' Agreement, to test telegraph and/or telephone wires for the purpose of locating wire trouble and to order lineman to clear the trouble.

2. Carrier shall compensate C. R. Caraway, Manager and Wire Chief, Atchison, for 8 hours at the time and one-half rate of his position for June 22, 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 December 31, 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 11th day of January, 1960.