

**Award No. 9134**  
**Docket No. TE-10700**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**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 Agreement when on May 5th it required or permitted an employe in Osawatomie Yard Office to transmit by telephone a communication of record to Assistant Trainmaster G. E. Dannels, Coffeyville, neither of whom are covered by the Telegraphers' Agreement nor within a properly established telegraph office, thus establishing telegraph offices other than as provided by the Telegraphers' Agreement.

2. Carrier shall compensate J. E. Case, Manager, Coffeyville, for a call, three hours at the time and one-half rate, for Sunday, May 5, 1957.

3. Carrier shall compensate F. W. Case, Manager, Osawatomie, for eight hours at the time and one-half rate for Sunday, May 5, 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.