

Award No. 9154
Docket No. TE-11282

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 the Agreement between the parties when on May 22, 1958, it required or permitted Conductor Hoch to transmit to train dispatcher Upson at Pueblo, Kansas, the 2704 report of Work Extra BDC-4, also message that BDC-4 was tied up on house track at Ransom, Kansas, and could not be moved or blocked in, in addition to a work order message for the following day that the Extra would work between Arnold and McCracken on May 23, 1958.

2. Carrier shall now pay Agent-Telegrapher J. S. Elgin, Utica, Kansas, fifty (50) minutes at the time and one-half rate, which would have been the amount of pay he would have received had he been held on duty to perform this covered work.

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.