

Award No. 9348
Docket No. TE-9939

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on The Baltimore and Ohio Railroad, that:

1. Carrier violated the agreement between the parties hereto when, on April 4, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27 and 30; May 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29 and 31; June 1, 4, 5, 6, 7, 8, 28 and 29; and July 2, 3, 5, 6, 9, 10, 11, 12, 13, 16 and 17, 1956, respectively, it caused, permitted and required a conductor, an employe not covered by the Telegraphers' Agreement, to handle (receive, copy and deliver) train lineups for a contractor constructing an overhead bridge over the railroad tracks east of McCool, Indiana, which work was and is reserved solely to employes covered by the Telegraphers' Agreement.

2. Carrier be required to compensate an idle telegrapher (extra in preference) for pay for one day (8 hours) on each date hereinbefore listed.

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 thereon has been held and concluded. Under date of March 31, 1960, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is thereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 8th day of April, 1960.