

Award No. 9361
Docket No. TE-10643

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 December 17, 1956, it caused, permitted and required a train service employe not covered by the Telegraphers' Agreement to communicate directly with the Train Dispatcher at Dayton, Ohio, over the telephone located at Wapakoneta, Ohio, and secure lineups on trains; report his train in the clear; and give the Train Dispatcher pertinent information concerning his work; the movement of his train; and other matters.

2. Carrier shall compensate an idle telegrapher, extra in preference, for pay for one day (8 hours) on December 17, 1956.

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 March 31, 1960, 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 8th day of April, 1960.