

**Award No. 9363**  
**Docket No. TE-10874**

**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 16, 1957, it caused, required and permitted a train service employe not covered by the Telegraphers' Agreement, on Work Extra 6416, a work train in maintenance service, to report clear of the main track at Georgetown Junction for Train No. 4 at 11:25 A. M. to the operator at DS Tower, and at 11:57 A. M. to secure permission from the operator at DS Tower to occupy No. 2 track and proceed eastward at Georgetown Junction.

2. Carrier now be required to compensate an idle operator, extra in preference, for pay for one day on April 16, 1957, because of said violation at Georgetown Junction.

**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.