

**Award No. 9365**  
**Docket No. TE-10876**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**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 March 20, 21, 22, 23, 25, 26, 27, 28, 29, 30; April 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29, 30; May 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 20; May 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 31; June 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30; July 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, 1957, respectively, it required or permitted members of train or engine crews, employees not covered by the Telegraphers' Agreement, to secure permission at Butler Junction over the telephone from the operator at "WS" Tower to enter the block, Clearance Card Form A.

2. Carrier shall be required to compensate an idle operator (extra in preference) for one day's pay (8 hours) on each date above shown.

**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.**