

Award No. 9366
Docket No. TE-10877

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 it relieved Mr. E. H. Moyer, Assistant Agent at 58th Street, Philadelphia, Pennsylvania, by an employe not covered by the Telegraphers' Agreement, from June 3 to June 21, 1957, inclusive.
2. Carrier shall now compensate the senior idle operator who should have been used to relieve Mr. Moyer for his vacation one day's pay for each day Mr. Moyer was so relieved by an employe not covered by the Telegraphers' Agreement.

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.