

Award No. 9373
Docket No. TE-11497

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 30, May 7, 8, 9, June 7 and 12, 1957, Track Foreman, not covered by the Telegraphers' Agreement, secured information over the telephone at Piedmont, West Virginia, from the operator at West Keyser, West Virginia, ten or more times on each date listed concerning the disposition of Tie Tamper PB 107, and on June 17, 21, 24, 25, 26, 27, 28, July 1, 2 and 3, Section Foremen, employes not covered by the Telegraphers' Agreement, copied track car lineups, Form 1089-D, at Piedmont over the telephone from the operators at West Keyser.

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