

Award No. 10294

Docket No. TE-12132

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

GULF, MOBILE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: *Claim of the General Committee of The Order of Railroad Telegraphers on the Gulf, Mobile and Ohio Railroad, that:*

1. (a) Carrier violated the Agreement between the parties when it failed and refused to compensate W. E. Conner, Agent-Telegrapher, Ackerman, Mississippi, for work performed when called outside his regular hours to handle train orders on February 2, 1960.

(b) Carrier shall compensate W. E. Conner in the amount of a minimum call payment, two hours at the time and one-half rate.

2. (a) Carrier violated the Agreement between the parties when it required or permitted employes not covered by the Agreement to handle train orders at Ackerman, Mississippi, on August 14, 1959, October 14, 1959 and March 9, 1960, at a time when the Agent-Telegrapher was not on duty.

(b) Carrier shall compensate W. E. Conner, Agent-Telegrapher, Ackerman, Mississippi in the amount of a minimum call payment, two hours at the time and one-half rate, on each date set forth in (a) above.

3. (a) Carrier violated the Agreement between the parties when it required or permitted employes not covered by the Agreement to handle train orders at Houston, Mississippi on July 27, 1959 at a time when the Agent-Telegrapher was not on duty.

(b) Carrier shall compensate H. C. Wilson, Agent-Telegrapher, Houston, Mississippi, in the amount of a minimum call payment, two hours at the time and one-half rate.

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 dates of December 21, 1961 and December 6, 1961, the respective parties advised the Secretary of the Third

Division of their desire to withdraw this case from further consideration by the Division, 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 11th day of January, 1962.