

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**  
**THE ATCHISON, TOPEKA & SANTA FE RAILWAY**  
**COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers, Atchison, Topeka & Santa Fe Railway Company, that T. H. Morris, agent-telegrapher, Ethel, Missouri, is entitled to compensation under the provisions of the Call and Overtime rules of the Telegraphers' Agreement because he was not brought on duty to handle messages, reports, etc., on the following occasions:

(a) At or about 12:30 p. m., December 31, 1939, when the signal maintainer at Ethel entered the depot and copied a train line-up.

(b) At or about 2:00 p. m., December 31, 1939, when the train dispatcher gave the section foreman, direct, a message of instructions via commercial long distance telephone;

(c) At or about 6:00 a. m., January 1, 1940, when the train dispatcher transmitted direct to the signal maintainer a message of instructions via commercial long distance telephone, and

(d) At or about 6:30 a. m., January 19, 1940, when the signal supervisor, located at division headquarters, transmitted direct to the signal maintainer via commercial long distance telephone, a message of instructions.

**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 complainant party;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That hearing thereon has been held and concluded. Under date of September 9, 1942 the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this dispute, which request is hereby granted.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 14th day of September, 1942.