

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**AMERICAN TRAIN DISPATCHERS ASSOCIATION**

**FORT WORTH AND DENVER RAILWAY COMPANY**

**STATEMENT OF CLAIM:** Claim of the American Train Dispatchers Association that:

(a) The Fort Worth and Denver Railway Company, hereinafter referred to as the "Carrier", failed to comply with the intent of the currently effective agreement between the parties, particularly Rule 1 and Rule 3, thereof, when on July 3, 1955, Mr. J. D. Montgomery, Trainmaster of the Carrier, performed duties defined in Rule 3 of the Train Dispatchers' Agreement.

(b) The Carrier shall now compensate Train Dispatcher Zeb Ellis, Jr., for a two-hour call on July 3, 1955 at punitive rate of the night chief train dispatcher position in the Wichita Falls, Texas office of the Carrier pursuant to Rule 4, paragraph (d) of the 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 complainant party; and

That no hearing thereon has been held, and under date of December 19, 1956 the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is hereby granted.

**AWARD**

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of THIRD DIVISION**

**ATTEST: A. Ivan Tummon  
Executive Secretary**

Dated at Chicago, Illinois, this 16th day of January, 1957.