

Award No. 7708  
Docket No. TD 9069

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

AMERICAN TRAIN DISPATCHERS ASSOCIATION  
CENTRAL OF GEORGIA RAILWAY COMPANY

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

(a) The Central of Georgia Railway Company, hereinafter referred to as the "Carrier" failed to comply with the provisions of the currently effective Agreement between the parties, particularly Article 1 thereof when, on November 14, 1955, and on February 29, 1956, it permitted employees not subject to the train dispatchers' agreement to direct main track train movements by the use of two-way radio without the direction or knowledge of the train dispatcher.

(b) The Carrier shall now compensate Train Dispatcher J. B. Benton, who was available, capable and willing to work, two days' service at rate of time and one-half rate of trick train dispatcher for the dates set forth in paragraph (a) of this claim both of which were rest days assigned to the regularly assigned position of said J. B. Benton.

**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 dates of January 23 and January 28, 1957 both parties 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 15th day of February, 1957.