

Award No. 7782
Docket No. TE-9375

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

WESTERN MARYLAND RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Western Maryland Railway, that:

1. Carrier violated the Agreement when it caused, required or permitted train service employees, not covered by the Telegraphers' Agreement, to handle (receive, copy, repeat and deliver) train orders, as follows:

Date	Order No.	Train Eng.	Relayed By	Rec'd & Del'd By	Station
2/13/56	408	174	Opr. Big Pool Jct.	Naugle	Big Pool
2/20/56	408	174	Opr. Big Pool Jct.	Haugh	Round Top
2/21/56	432	238	Opr. Big Pool Jct.	Hixon	Pearre
2/23/56	412	52	Opr. Williamsport	Turk	Startzman
2/25/56	422	25	Opr. Big Pool Jct.	Lear	Fairplay
2/27/56	5028	21	Opr. Lurgan, Pa.	Donegan (TM)	Kobeen
2/28/56	409	54	Opr. Big Pool Jct.	Penner	Jerome
2/29/56	412	238	Opr. "MY"	Knight	North Branch
3/2/56	431	52	Opr. "MU"	Byer	Jerome
3/8/56	417	242	Opr. Big Pool Jct.	Kendall	"WF"
3/8/56	418	242	Opr. Big Pool Jct.	Kendall	"WF"
3/10/56	401	28	Opr. Big Pool Jct.	Snyder	Jerome
3/11/56	3048	240	Opr. "MY"	Powell	Jerome
3/14/56	427	101	Opr. "MY"	Trainman	North Branch
3/17/56	418	182	Opr. "MY"	Lear	Fairplay
3/19/56	424	33	Opr. "MY"	Shriver	North Branch
3/19/56	422	197-&-33	Opr. "MY"	Shriver	North Branch
3/23/56	412	62	Opr. "MY"	Laupert	North Branch
3/25/56	403	231	Opr. "MY"	Trainman	North Branch

2. Carrier violated the Agreement when it caused, required or permitted train service employees, not covered by the Telegraphers' Agreement to handle (receive, copy, repeat and deliver) train orders, as follows:

Date	Order No.	Train Eng.	Relayed By	Rec'd & Del'd by	Station
3/17/56	412	182	Opr. Big Pool Jct.	Lear	Doe Gully
3/17/56	420	182	Opr. Big Pool Jct.	Lear	Doe Gully
3/21/56	406	57	Opr. Big Pool Jct.	Green	Jerome
3/26/56	416	180	Opr. Oldtown	Shaw	Pearre
3/27/56	417	66	Opr. Oldtown	Trainman	Round Top
3/27/56	429	33	Opr. Oldtown	Hopkins	Little Orleans
4/1/56	411	102	Opr. "MY"	Mellott	North Branch
4/4/56	411	23	Opr. Oldtown	Anderson	Fairplay
4/7/56	410	61	Opr. Big Pool Jct.	Penner	Pinesburg
4/7/56	427	59	Opr. "MY"	Light	Fairplay
4/10/56	414	174	Opr. Oldtown	Penner	Fairplay
4/11/56	406	30	Opr. Big Pool Jct.	Weaver	Jerome
4/15/56	427	55	Opr. "MY"	Germroth	Fairplay
4/17/56	421	181	Opr. Big Pool Jct.	Forbes	Cohill
4/17/56	427	239	Opr. "MY"	Hixon	Fairplay
4/23/56	418	27	Opr. Williamsport	Johnson	Startzman

3. Carrier will be required to compensate the senior idle employee (extra employees preferred) Hagerstown Division, for each violation set forth in Paragraphs 1 and 2, one day's pay (8 hours) at the hourly rate of \$1.9575 (or pro rata telegraphers' (telephoners') rate on such Seniority District).

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 no hearing thereon has been held, and under date of February 28, 1957, the complainant party 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: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 11th day of March, 1957.