

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE BALTIMORE AND OHIO RAILROAD COMPANY

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

1. Carrier violated the Agreement between the parties hereto when on November 19, 20, 21, 27, 28, 29; December 1, 4, 5, 6, 7, 8, 12, 13, 15, 17, 18, 20, 21, 22, 27, 28, 1956, and January 22, 23, 24 and 25, 1957, it caused, permitted and required train or engine service employes not covered by the Telegraphers' Agreement, on trains in the passing siding at Savan, Pennsylvania, to report over the telephone at Savan to the operator at Marion Center or Creekside, Pennsylvania, the time trains they were meeting at Savan passed that point, and to secure from said operator Form A, Part 4, permission to enter the main track at Savan and proceed.

2. Carrier shall compensate the operator named for pay for one day, eight (8) hours on each date listed:

November 19, 1956, E. E. Aurand
November 20, 1956, D. L. Lukehart
November 21, 1956, F. J. Adams
November 27, 1956, W. J. McMinn
November 28, 1956, D. C. Fetterman
November 29, 1956, J. R. Heitzer
December 1, 1956, H. F. Rumbaugh
December 4, 1956, D. A. Brown
December 5, 1956, J. R. McMinn
December 6, 1956, J. H. Stahlman
December 7, 1956, Peter Tate
December 8, 1956, M. E. McAfoose
December 12, 1956, W. J. Busch
December 13, 1956, W. J. Busch
December 15, 1956, F. J. Rolls
December 17, 1956, C. D. Yount
December 18, 1956, W. J. Busch
December 20, 1956, T. L. Christy
December 21, 1956, C. R. Moore
December 22, 1956, M. E. McAfoose

and an idle operator on each of the following dates:

December 27, 1956
December 28, 1956
January 22, 1957
January 23, 1957
January 24, 1957
January 25, 1957

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 date of January 19, 1959, the parties separately addressed formal communications 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 4th day of February, 1959.