

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**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 21, 23, 27, 28; December 4, 5, 8, 11, 12, 13, 14, 19, 27, 28 and 29, 1956 and January 4, 10, 11, 15, 16, 17, 19 and 25, 1957, it caused, permitted and required train or engine service employees not covered by the Telegraphers' Agreement, on trains in the siding at Marion Center, Pennsylvania, to report over the telephone at Marion Center to the operator at Creekside, Pennsylvania, the time trains they were meeting at Marion Center passed that point, and to secure from the operator at Creekside, Clearance Card Form A, Part 4, permission to re-enter the main track at Marion Center and proceed westward during the hours the agent-operator at that point was not on duty.

2. Carrier shall compensate V. B. McCracken, agent-operator at Marion Center, as follows on the dates listed:

November 21, 1956, one call of two hours at overtime rate.  
November 23, 1956, one call of two hours at overtime rate.  
November 27, 1956, two calls of two hours at overtime rate.  
November 28, 1956, one call of two hours at overtime rate.

December 4, 1956, one call of two hours at overtime rate.  
December 5, 1956, one call of two hours at overtime rate.  
December 8, 1956, one call of two hours at overtime rate.  
December 11, 1956, one call of two hours at overtime rate.  
December 12, 1956, one call of two hours at overtime rate.  
December 13, 1956, two calls of two hours each at overtime rate.  
December 14, 1956, one call of two hours at overtime rate.  
December 19, 1956, two calls of two hours each at overtime rate.  
December 27, 1956, one call of two hours at overtime rate.  
December 28, 1956, one call of two hours at overtime rate.  
December 29, 1956, one call of two hours at overtime rate.

January 4, 1957, one call of two hours at overtime rate.  
January 10, 1957, two calls of two hours each at overtime rate.  
January 11, 1957, one call of two hours at overtime rate.  
January 15, 1957, two calls of two hours each at overtime rate.  
January 16, 1957, one call of two hours at overtime rate.  
January 17, 1957, two calls of two hours each at overtime rate.  
January 19, 1957, four calls of two hours each at overtime rate.  
January 25, 1957, two calls of two hours each at overtime rate.

**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.