

Award No. 9095  
Docket No. TE-9380

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

NORFOLK SOUTHERN RAILWAY COMPANY

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on the Norfolk Southern Railway that:

1. The Carrier violated the agreement between the parties when and because it permitted and/or required employes other than those covered by the Agreement to handle (copy) the following train orders when no emergency existed:

Station	Date	Time	Order No.	Train No.	Copied by:
(a) Carolina Yard	1- 9-56	1245 pm	44	Opr.	Oglesby
(b) McCullers	2-24-56	236 pm	67	X-1506	Allen
(c) Middlesex	3-10-56	1239 pm	48	45	Flowers
(d) McCullers	3-21-56	1227 pm	75	X-1509	Byrd
(e) Elizabeth City	3-29-56	217 am	26	63	Comer
(f) Corinth	4- 5-56	228 pm	81	X-1502	Jeffries
(g) Corinth	4- 6-56	358 pm	77	X-1502	Jeffries
(h) Elizabeth City	4-18-56	157 am	24	64	Barnes
(i) Mile Post 172	5- 1-56	933 am	36	42	Winstead
(j) Alligoods	4-30-56	645 pm	46	99	Stephens
(k) Elizabeth City	5- 2-56	145 am	26	64	Barnes
(l) Mile Post 269	5-31-56	147 pm	75	X-1615	Byrd
(m) Stanfield	6- 8-56	1244 pm	73	X-1508	Jeffries
(n) Carbondon	6- 9-56	538 pm	73	98	Cox
(o) Middlesex	6-18-56	1223 am	22	99	Wedding
(p) Plankroad	7- 4-56	631 pm	55	63	Lewis
(q) Knightdale	7- 4-56	230 am	26	X-1509	Dismukes
(r) Plankroad	7-14-56	614 pm	69	63	Freeman
(s) Walstonburg	7-19-56	940 am	40	42	Winstead
(t) Elizabeth City	7- 7-56	122 am	24	64	Mims
(u) Mile Post 218.5	7- 5-56	650 pm	70	X-1508	Dismukes
(v) Mile Post 70	5-10-56	956 am	38	X-1505	Gibson
(w) Mile Post 254	7-11-56	121 pm	63	X-1503	Mann
(x) Mile Post 70	7-13-56	919 am	38	X-1506	Gibson

2. As a consequence of said violations, the Carrier shall now be required to compensate the senior idle employe, extra in preference, for a minimum of a day's pay of eight (8) hours for each day that the above listed train orders were so handled at each of the points specified; except that at Carolina Yard the payment of a "call" shall be allowed to Operator-Clerk F. L. Courtney who was entitled to the work of a "call" at this point.

**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board or ex parte by the complainant party; and

That hearing was waived and under date of October 26, 1959, the parties jointly 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:** S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of November, 1959.