

Award No. 9098  
Docket No. TE-9989

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**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 on Saturday, October 13, 1956, it permitted or required Conductor Flowers in charge of train No. 45 to handle (copy and deliver) train order No. 44 at Bailey, North Carolina; and that the Carrier shall be required to pay the senior idle operator, extra in preference (Mr. H. E. Mann), a day's pay for this date because of said violation.

2. The Carrier violated the Agreement between the parties when on Saturday, March 2, 1957, it permitted or required Conductor Flowers in charge of train No. 45 to handle (copy and deliver) train order No. 44 at Middlesex, North Carolina; and that the Carrier shall be required to pay the senior idle operator, extra in preference (Mr. H. E. Mann), a day's pay for this date because of said violation.

**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 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.