

Award No. 9134
Docket No. TE-10700

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad, that:

1. Carrier violated Rule 1(a) of the Agreement when on May 5th it required or permitted an employe in Osawatomie Yard Office to transmit by telephone a communication of record to Assistant Trainmaster G. E. Dannels, Coffeyville, neither of whom are covered by the Telegraphers' Agreement nor within a properly established telegraph office, thus establishing telegraph offices other than as provided by the Telegraphers' Agreement.

2. Carrier shall compensate J. E. Case, Manager, Coffeyville, for a call, three hours at the time and one-half rate, for Sunday, May 5, 1957.

3. Carrier shall compensate F. W. Case, Manager, Osawatomie, for eight hours at the time and one-half rate for Sunday, May 5, 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 December 31, 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 11th day of January, 1960.