

Award No. 9148
Docket No. TE-11053

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 the Agreement between the parties when on March 16, 1958 and on each succeeding Sunday required and is continuing to require employees not covered by the Telegraphers' Agreement to perform the work which has, by custom and tradition, been acknowledged as Telegraphers' work.

2. Carrier shall compensate L. F. Anthony, Star Agent-Telegrapher, or the incumbent of the position, and shall pay G. R. Corwin, Second trick Telegrapher-Clerk, or the incumbent of the position, both at Carthage, Missouri, one call, three hours at the time and one half rate or each Sunday beginning with March 16, 1958 and continuing until such time as the work is properly restored to the Telegraphers.

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.