

Award No. 9357

Docket No. TE-10539

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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 when on dates of October 2, 12, 14, 15 and 18, 1956, it required or permitted various employees located at North Lima, Ohio, not covered by the Telegraphers' Agreement, to contact the train dispatcher direct at Dayton, Ohio or Deshler, Ohio to secure information on trains, transmit matters of record and messages over the dispatcher's telephone.

2. Carrier shall compensate the idle operator for the dates of October 2, 12, 14, 15 and 18, 1956, and all subsequent dates, for all subsequent violations which are described in the Statement of Facts on all three tricks at the points enumerated, eight hours' pay.

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 March 31, 1960, 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 8th day of April, 1960.