

Award No. 9364
Docket No. TE-10875

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 between the parties hereto when on February 25 and March 1, 5, 11, 12, 13, 16, 17, 18, 19 and 20, 1957, it caused, required and permitted train and engine service employes not covered by the Telegraphers' Agreement to call the operator at West Keyser, West Virginia, from the telephone at the west end of the siding at Piedmont, West Virginia, and secure permission to leave siding and occupy No. 1 main track, and on March 18, 1957, to report clear at Piedmont; to secure permission to move east on siding and pick up caboose; and later to secure permission to proceed from Piedmont to West Keyser.

2. Carrier be required to compensate an idle operator, extra in preference, pay for one day (8 hours) on each date listed.

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.