

Award No. 9367
Docket No. TE-10937

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 January 28, 1957, and subsequent dates, it caused, required and permitted the yardmaster at Williams Street Yard, Cumberland, Maryland, an employe not covered by the Telegraphers' Agreement, to block trains, report the main track blocked and clear from Williams Street to the operator at Evitts Creek, Maryland.

2. Carrier be required to compensate three idle operators one day's pay (8 hours each) for January 28, 1957, and all subsequent dates for similar claims of record.

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.