

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 April 3, 4, 5, 12, 17, 18, 19 and May 1, 2, and 3, 1957, and subsequent dates, it caused, required and permitted the operator of a Tie Tamper, an employe not covered by the Telegraphers' Agreement, to handle (receive, copy and deliver) track car lineups, Form 1089-A, at West Keyser, West Virginia, and Piedmont, West Virginia, which work was and is reserved solely to employes covered by the Telegraphers' Agreement.

2. Carrier be required to permit a joint check of its records to determine the number of violations occurring subsequent to the foregoing dates.

3. Carrier be required to compensate an idle operator, extra in preference, for pay for one day (8 hours) on each date shown, and all subsequent dates on which a point check of records shows agreement to have been violated.

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.