

Award No. 9372
Docket No. TE-11381

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 15 and 16, 1957, it caused, required and permitted train service employees not covered by the Telegraphers' Agreement to call the operator at West Keyser, West Virginia from Piedmont, West Virginia over the telephone and report clear in Piedmont Yard and to secure permission to use westbound siding; to cross from No. 1 to No. 2 main tracks; and to proceed on main track.

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.