

Award No. 7236

Docket No. TE-7995

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

SOUTHERN PACIFIC COMPANY (*Pacific Lines*)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Southern Pacific Company (*Pacific Lines*) that:

1. Carrier violated and continues to violate the terms of the agreement between the parties when it unilaterally removed from the Scope of said agreement and from the employes thereunder the work of signing bills of lading, sealing cars and other duties incidental to the billing of freight at a time outside the regular assigned hours of the agent-telegraphers at Dixon and McFarland, California.

2. Carrier shall restore to the Scope of the agreement and to the agent-telegrapher's position, at Dixon and McFarland, the above described work; and

3. Compensate the occupant of the agent-telegrapher position at the aforesaid stations in accordance with the call rule of the agreement for each occasion there was a violation commencing September 3, 1953 at Dixon and May 15, 1954 at McFarland; further,

4. In the event the occupant of the agent-telegrapher position at either of these stations is not available, then the available idle extra employe or assigned employe observing rest days shall be paid a day's pay of 8 hours at the proper rate commencing on the dates shown in paragraph 3.

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 no hearing thereon has been held, and under date of February 1, 1956, the complainant party 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 6th day of February, 1956.