

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

AMERICAN TRAIN DISPATCHERS ASSOCIATION
THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY—Eastern Lines

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that:

(a) The Atchison, Topeka and Santa Fe Railway Company, hereinafter referred to as "the Carrier," violated the currently effective Agreement between the parties to this dispute, including Article II, Section 10-b thereof, when on Wednesday, May 18, 1955, and Wednesday, June 1, 1955, in its Chillicothe, Illinois train dispatching office, it failed to use senior unassigned Train Dispatcher J. D. Hunter to fill a temporary vacancy on Position No. 1360 occurring on each of the above named dates, and instead, Carrier filled those temporary vacancies with Mr. B. D. Cotter, an unassigned train dispatcher junior to Mr. J. D. Hunter. Train Dispatcher J. D. Hunter was the senior qualified and available train dispatcher on Wednesday, May 18, 1955 and on Wednesday, June 1, 1955.

(b) Carrier shall now compensate unassigned Train Dispatcher J. D. Hunter one day's pay at the pro rata rate of Position No. 1360 for Wednesday, May 18, 1955, and for Wednesday, June 1, 1955, two days upon which he was deprived of train dispatching work to which he was contractually entitled under the rules of the Agreement, but which work was instead performed by a junior unassigned train dispatcher.

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 complainant party; and

That no hearing thereon has been held, and under date of December 19, 1956 the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is here granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 16th day of January, 1957.