

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, when on Tuesday, August 30, 1955, Tuesday, September 6, 1955, Tuesday September 13, 1955, Tuesday, September 20, 1955, Tuesday, September 27, 1955 and Tuesday, October 4, 1955 it failed to use senior unassigned Train Dispatcher Mr. L. C. Walker to fill temporary vacancies occurring on Position No. 1350 starting at 2:30 P. M., in its Marceline, Missouri, train dispatching office on each of the above specified dates.

Instead, carrier filled these temporary vacancies with unassigned Train Dispatcher Mr. C. R. Machen who is junior in seniority to Train Dispatcher Walker, and used senior unassigned Train Dispatcher Walker to fill temporary vacancies which occurred at 10:30 P. M., on Position No. 1340, on each of the above specified dates.

(b) Carrier shall now compensate unassigned Train Dispatcher Walker in the amount of one day's salary at the pro rata rate of Position No. 1350 for each of the above specified six (6) days, upon which dates he was deprived of work to which he was entitled under the applicable provisions of the Agreement between the parties.

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.