

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD
COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the New York, New Haven and Hartford Railroad that:

1. The carrier violated the terms of the Agreement between the parties when on January 12, 1955, it

(a) Declared abolished the two positions of signal station operator at Framingham Center, Mass.

(b) Declared abolished the two positions of operator-clerk at Framingham, Mass.

(c) Caused to be displaced the regularly assigned occupants of the operator-clerk positions at Framingham and the regularly assigned occupants of the signal station operator positions at Framingham Center, from their duly assigned assignments;

(d) Improperly joined the two positions of signal station operator at Framingham Center with that of the two operator-clerk positions at Framingham Yard and joined these four positions into two positions reclassified as signal station operator, operator-clerk located at Framingham.

(e) Required the occupants of the improperly reclassified and improperly established positions of signal station operator, operator-clerk positions at Framingham to daily commute between Framingham and Framingham Center for the purpose of performing dual service at both locations, part time at Framingham and part time at Framingham Center.

2. The positions of signal station operator at Framingham Center and the positions of operator-clerk at Framingham Yard be restored to their original status and P. Amalifitano extra,

hold-down signal station operator at Framingham Center, Mass., who was improperly removed from his assignment shall be returned thereto and be compensated in full for all monetary loss suffered as a result of Carrier's action and also be compensated in accordance with the provisions of Article 29 of the Telegraphers' Agreement for each day he was required to work off of his Regular assignment, continuing until restored to their regular assigned positions.

3. The positions of operator-clerk at Framingham Yard shall be restored to their original status and Messrs. E. E. Bowles, T. J. Dominick, regularly assigned occupants and W. H. Walker, Jr., regularly assigned rest day relief operator-clerk at Framingham Yard, Mass., who were improperly removed from their assignments shall be restored thereto and compensated for all monetary losses sustained resulting from Carrier's action, and also be compensated in accordance with the provisions of Article 29 of the Telegraphers' Agreement, for each day they are required to work off of their regular assignment continuing until restored to their regular assigned positions.

4. Messrs. S. P. Devine, J. D. MacDonald, K. M. Miller and R. J. Niblack, who were improperly displaced as a result of the declared abolishment of the positions named in this claim, and all others resultantly displaced shall be reimbursed the difference between their earnings on other positions named in this claim, and all others resultantly displaced shall be reimbursed the difference between their earnings on other positions and that which they would have earned on the positions that they were required to vacate, together with the compensation due under Article 29 of the Agreement.

5. For each working day, and for work denied at Framingham Center on the first and second shift, commencing January 13, 1955, until said positions are restored to their original status, the senior extra, or unassigned employees shall be compensated an amount equivalent to one day's pay for 8 hours on a day to day basis for work improperly withheld.

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 thereon has been held and concluded. Under date of July 14, 1959, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case from further consideration by the Division, which request is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 5th day of August, 1959.