

Award No. 10159

Docket No. TE-12155

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

**THE NEW YORK CENTRAL RAILROAD, Eastern District
(Except Boston and Albany Division)**

STATEMENT OF CLAIM: Claim of the General Committee of the Order of Railroad Telegraphers on the New York Central Railroad (Eastern District), that:

1. Carrier violated the terms of the Agreement between the parties and continues to violate said Agreement when effective April 27, 1959, it unilaterally declared abolished the position of assistant agent, Ossining, New York, without in fact, abolishing the work thereof.
2. Carrier violated and continues to violate the terms of the Agreement between the parties when effective April 27, 1959 it ordered the agent, Ossining, New York, to assume the duties of the assistant agent at Ossining, New York at the Ossining Ticket Office, in addition to his own duties at the Ossining, New York Freight Office.
3. Carrier violated and continues to violate the terms of the Agreement between the parties when effective April 27, 1959, it removed the work of billing and waybilling freight destined to and originating at Harmon, New York, from the agent at Ossining, New York, an employee subject to said Agreement, and transferred the work to another station and other employees not subject to said Agreement.
4. The work of billing and waybilling shall be restored to the position of agent, Ossining, New York, and to employees subject to said Agreement from whom it was unilaterally removed.
5. The position of agent, Ossining, New York, shall be restored to its former status.
6. The position of assistant agent, Ossining, New York, shall be restored to the Agreement, and the work of said position and the former incumbent thereof shall be restored thereto, and compensated for all wages lost and travel time and other expenses incurred.

7. All other employees who have been displaced or otherwise affected as a result of the aforementioned violations shall be returned to their former positions and compensated for all wages lost, travel time and expenses incurred.
8. The senior idle employee, extra in preference, shall be paid one day's pay at the rate of the assistant agent, Ossining, New York, for each and every day, commencing April 27, 1959, and continuing thereafter until such violations are corrected.
9. A joint check of the Carrier's records shall be ordered to ascertain the names and amounts due employees as set forth herein.

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 August 22, 1961, 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
Secretary**

Dated at Chicago, Illinois, this 27th day of October, 1961.