

Award No. 2017
Docket No. TE-1204

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**THE ORDER OF RAILROAD TELEGRAPHERS
CHICAGO, INDIANAPOLIS & LOUISVILLE RAILWAY
COMPANY**

(Holman D. Pettibone, Trustee)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on Chicago, Indianapolis & Louisville Railway that, R. F. Schmalz, regularly assigned to the position of Ticket Agent in the passenger station at Bloomington, Indiana, was improperly removed from his position on October 1, 1939, upon the Carrier declaring his position abolished under the guise of transferring the duties and responsibilities of the position to the freight agent at Bloomington, a position not covered by telegraphers' agreement; that the position of Ticket Agent be restored to telegraphers' agreement and R. F. Schmalz returned to his former position, that all employees resultantly displaced by the improper removal of Schmalz from his position be returned to their former positions, and that all employees, including employees on the extra list, affected by these improper acts of the carrier be compensated for all wage loss suffered and expense incurred thereby.

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 October 12, 1942 the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this case, which request is hereby granted.

AWARD

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 13th day of October, 1942.