

Award No. 6603

Docket No. TE-5617

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

UNION PACIFIC RAILROAD COMPANY (Eastern District)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Union Pacific Railroad, Eastern District, that:

- (1) The Carrier has violated and continues to violate the terms of the Agreement between the parties, at "NY" North Platte, Nebraska, when and because it declined and continues to decline to assign to employees covered by said Agreement the duties of operating printing telegraph machines (teletype) used for transmitting and receiving communications of record;
- (2) The Carrier shall forthwith assign all of the duties in connection with the transmission and reception of messages and reports of record by use of said printing telegraph machines (printers and/or teletype) to employees covered by said Agreement, and
- (3) For each and every eight hour trick that printing telegraph (printers and/or teletype) have been operated by employees not covered by said agreement, the Carrier shall pay to the senior idle employee, (or employees) under the Agreement on the seniority district an amount equal to a day's pay at the rate prescribed in the Agreement for printer and teletype operators.

OPINION OF BOARD: Under all of the circumstances here obtaining, the claim should be dismissed without prejudice.

FINDINGS: The Third Division of the Adjustment Board upon the whole record and all the evidence, finds and holds:

That the Carrier and Employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the claim should be dismissed without prejudice.

AWARD

Claim dismissed in accordance with Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 7th day of May, 1954.