

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Atchison, Topeka & Santa Fe Railway that:

(a) The Carrier has violated and continues to violate the provisions of the agreement between the parties when and because it has declined and continues to decline to assign employes covered by said agreement the work of transmitting and/or receiving communications of record now being handled by employes or persons not under the agreement by use of printing telegraph machines located in the Chicago and Los Angeles Reservation Bureaus;

(b) The work of transmitting and/or receiving such communications of record at Chicago and Los Angeles shall be restored to the agreement and to the employes subject thereto;

(c) If the Carrier elects to have such communications of record performed by the use of printing telegraph machines located in the reservation bureaus at Chicago and Los Angeles it shall assign employes from the appropriate telegraphers' seniority roster to operate such printing telegraph machines including auxillary machines used in the reperation of tape in a secondary operation pertaining to the transmission and reception of such communications of record;

(d) For each and every eight hour shift that such communications work is performed by use of printing telegraph machines and/or reperatorators operated by employes not under the agreement, the senior available employes on the appropriate telegraphers' roster shall be compensated an amount equal to a day's pay at the printer clerk rate applicable to the particular location.

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 the Employes involved in this dispute are respectively carrier and employes 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.