

Award No. 6898

Docket No. TE-7027

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the St. Louis Southwestern Railway, St. Louis Southwestern Railway Company of Texas, that:

(1) Carrier violated the Agreement between the parties hereto, when commencing on the 3rd day of September, 1949, and continuing thereafter, it failed and refused to fill the position of Agent at Mt. Pleasant, Texas, on Saturday and Sunday of each week, but instead required and permitted others, not covered by the Agreement, to perform the work of said Agent on said days.

(2) Carrier shall be required to fill the position of Agent, Mt. Pleasant, Texas, on Saturday and Sunday of each week, either by assigning regular relief, according to Rules of the Agreement or requiring and permitting the regular incumbent of the position to fill such position on Saturday and Sunday of each week.

(3) Carrier shall be required to compensate the senior idle extra telegrapher, at the straight time rate, for each day and date, Carrier has failed and refused to fill such position, the names and amounts to be determined by joint check of Carrier's records; or, if no extra employe available, Carrier shall compensate C. Rounsaville, Agent, Mt. Pleasant, Texas, for 8 hours at one and one-half times straight time rate, for each and every day and date, Carrier failed and refused to fill such position from September 3, 1949, until such violative practice is discontinued.

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 no hearing thereon has been held, and under date of February 10, 1955, the complainant party 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 17th day of February, 1955.