

Award No. 7114

Docket No. TE-6823

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI PACIFIC RAILROAD COMPANY

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

1. Carrier violated terms of the Agreements between the parties hereto when on the 18th day of January, 1952, acting unilaterally, it declared abolished the positions of second and third shift CTC Telegrapher-Clerk at Dexter, Missouri, without in fact abolishing the work of such positions;

2. Carrier further violated terms of the Agreement when, on the same day, acting unilaterally, it transferred work of such positions to Poplar Bluff, Missouri, and required and permitted employees not covered by Telegraphers' Agreement to perform such work;

3. Carrier shall be required to restore such work to scope of the Telegraphers' Agreement to be performed by employees covered thereunder and entitled thereto according to the provisions of such Agreement;

4. Employees wrongfully displaced or adversely affected by the violative actions of Carrier shall be fully compensated for all loss and expenses, if any, sustained as a result thereof; the names and amounts to be determined by a joint check of Carrier's records.

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 August 29, 1955, 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: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 23rd day of September, 1955.