

Award No. 7122

Docket No. TE-7380

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:

(a) The Carrier violated and continues to violate the provisions of the agreement between the parties when on August 27, 1952 it abolished the first and second trick telegrapher-clerk positions at Prescott, Arkansas, without abolishing the work.

(b) The Carrier violated the provisions of the agreement between the parties when on November 13, 1952, by unilateral action it reclassified the position of Star Agent at Prescott, Arkansas to Star Agent-Telegrapher with an assigned work week of six days.

(c) The Carrier now be required to restore the work formerly performed by the first and second trick telegrapher-clerks to the scope of the Telegraphers' Agreement and compensate first trick Telegrapher-Clerk A. B. Bonds, and second trick Telegrapher-Clerk O. P. Keown, for all monetary losses sustained, including expenses incurred account this violation.

(d) The position of Star Agent be restored at Prescott, Arkansas and the incumbent, D. S. Jordan, be compensated for any and all monetary consideration due him account this violation, including expenses.

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.