

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

THE CHESAPEAKE AND OHIO RAILWAY COMPANY
(Chesapeake District)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Chesapeake & Ohio Railway (Southern Region, formerly Chesapeake District) that:

1. The Carrier violated the terms of the effective agreement between the parties when, on February 25, 1955, it declared abolished the position of Operator at Burnham, Illinois, without in fact discontinuing the work properly belonging to and performed by the Operator at that location, and transferred the work of said position and assigned the performance of same to an employee or employees not covered by the terms of the Telegraphers' Agreement; and

2. The work formerly performed by the Operator at Burnham, Illinois including the regular assigned rest day relief employee, shall be restored to the Telegraphers' Agreement and performed only by employees entitled to such work under the Agreement; and

3. The employees who were improperly removed from their assignments at Burnham, Illinois, as well as all other employees resultantly displaced from their assignments, shall be restored thereto and be compensated in full for all wages lost plus expenses incurred as provided in Rule 8 and other rules of said agreement for each day beginning with the date their assignments were improperly declared abolished, or the date they were displaced, and continuing each day thereafter until they are restored to their respective assignments; and

4. All other employees who were deprived of work as a result of this violative act shall be paid for wages lost.

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 hearing thereon has been held and concluded. Under date of June 27, 1958, the Organization addressed a formal communication to the Executive

Secretary of the Third Division, requesting withdrawal of this case from further consideration by the Division. Under date of July 2, 1958, the Carrier addressed a formal communication to the Executive Secretary of the Third Division concurring in the Organization's request for withdrawal of the case from the Board. The request of the parties is hereby granted.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 10th day of July, 1958.