

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**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. On February 24, 1958, the Carrier abolished the position of Car Distributor at Wichita, Kansas on the Wichita Seniority District, without in fact abolishing the work of the position, and transferred the work of the position to employees not covered by the Agreement.

2. Carrier shall now pay J. H. Fry, the former incumbent of the abolished position, any money loss he shall suffer from February 24, 1958, until he is rightfully restored to his position, and in addition any expenses incurred by him as a result of this improper abolishment of the position. Carrier shall also pay all employees adversely affected by this improper abolishment any money loss sustained including their expenses. The proper payment to be determined by a joint check of the 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 hearing was waived and under date of December 31, 1959, 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: S. H. Schulty**  
**Executive Secretary**

**Dated at Chicago, Illinois, this 11th day of January, 1960.**