

**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. Carrier violated the Agreement between the parties when on April 12, 1958, at 11:59 P. M. it declared abolished the positions of CTC telegraphers at Gurdon, Arkansas, without actually abolishing the work of such positions, and acting unilaterally transferred the work of these positions to employees not covered by the Telegraphers' Agreement.

2. Carrier shall restore the work of the positions to telegraphers and shall compensate

H. W. McCain  
M. S. Nelson  
Guy Wilson  
J. D. Foshee  
J. W. Harris

and any other telegraphers adversely affected in this improper transfer of work, all loss of pay and expenses, beginning with April 12, 1958.

3. Compensation shall be for one day's pay at the Gurdon, Arkansas CTC Telegrapher-Clerk rate for each work day of the position, in addition to any other pay made to these employees for any other work. Expenses shall be actually expenses incurred by these employees which would not have occurred had they remained on the positions which were declared abolished.

**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.