

Award No. 10
Docket No. 11

MOP File VGS-380-1456
ORT File 1152-54

SPECIAL BOARD OF ADJUSTMENT NO. 117

ORDER OF RAILROAD TELEGRAPHERS
and
MISSOURI PACIFIC RAILROAD COMPANY

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 it arbitrarily reclassified the position of Star Agent at McPherson, Kansas, to a position of Agent-Telegrapher, effective Friday, May 7, 1954, without agreement between the parties.
2. Carrier shall now be required to restore the classification of Star Agent and retain such classification until such time as the position is reclassified in conformity with the rules of the agreement.
3. Carrier shall be required to pay Agent F. A. Gass a penalty of 8 hours for each day of the violation beginning May 7, 1954.

OPINION OF BOARD: While the existing facts in this claim are not identical with those present in Docket No. 10, said claim under consideration here involves the same parties and the same rules as were present in Docket No. 10, Award No. 9, previously considered by this Board.

It is the opinion of the Board that the controlling factual situation here present, when considered in the light of the cited rules, is comparable to that considered and applied in the aforesaid award.

This claim is disposed of on the grounds set forth and to the extent indicated in Award No. 9.

FINDINGS: The Special Board of Adjustment No. 117, upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as approved June 21, 1934.

That this Special Board of Adjustment has jurisdiction over the dispute involved herein; and,

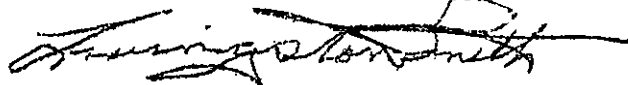
That the claim should be disposed of in accordance with the above opinion.

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AWARD

Claim disposed of in accordance with the above opinion.

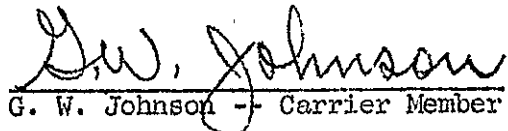
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Livingston Smith -- Chairman



C. O. Griffith -- Employee Member



G. W. Johnson -- Carrier Member

St. Louis, Missouri
May 31, 1956

