

Award No. 23  
Docket No. 23

MOP File 380-1465  
ORT File 1160-54

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 when on July 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, 1954, it failed to assign J. A. O'Kelly to the Star General Agent's position, Paragould, Arkansas, after having properly assigned him to the position on July 6, 7 and 8.
2. Carrier shall now be required to pay J. A. O'Kelly the difference in rate of pay from the position of Star General Agent which he was entitled and the amount paid him for work performed as a Telegrapher-Clerk.
3. Carrier violated the agreement in failing to assign the senior extra employe to the position of Telegrapher-Clerk owned by J. A. O'Kelly for the period July 9th, 1954, through 19th, inclusive.
4. Carrier shall pay senior idle Telegrapher 8 hours pro rata time proper compensation for the work he was entitled to on the Telegrapher-Clerk position of J. A. O'Kelly during period July 9th through 19th, 1954.

OPINION OF BOARD: In view of the facts and circumstances as presented in this particular case, and without construing the rules of agreement relied upon by the parties as they might apply to any other case involving the same or similar set of circumstances, claims 1 and 2 as shown above are hereby sustained, claims 3 and 4 are hereby denied.

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 claims be disposed of in accordance with the above opinion.

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AWARD

Claims disposed of as indicated in the above.

SPECIAL BOARD OF ADJUSTMENT NO. 117

*Livingston Smith*

Livingston Smith - Chairman

*C. O. Griffith*

C. O. Griffith - Employee Member

*G. W. Johnson*

G. W. Johnson - Carrier Member

St. Louis, Missouri  
June 6, 1956

