

Award No. 12  
Docket No. 13

MOP File VGS-380-1442  
VGS-380-1409  
ORT File 1058-52

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:

- (a) The Carrier violated and continues to violate the provisions of the agreement between the parties when on August 27, 1952, it abolished the first and second trick telegrapher-clerk positions at Prescott, Arkansas, without abolishing the work.
- (b) The Carrier violated the provisions of the agreement between the parties when on November 13, 1952, by unilateral action it reclassified the position of Star Agent at Prescott, Arkansas, to Star Agent-Telegrapher with an assigned work week of six days.
- (c) The Carrier now be required to restore the work formerly performed by the first and second trick telegrapher-clerks to the scope of the Telegraphers' Agreement and compensate first trick Telegrapher-Clerk A. B. Bonds and second trick Telegrapher-Clerk O. P. Keown for all monetary losses sustained, including expenses incurred account this violation.
- (d) The position of Star Agent be restored at Prescott, Arkansas, and the incumbent, D. S. Jordan, be compensated for any and all monetary consideration due him account this violation, including expenses.

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.

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

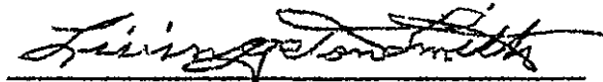
That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as approved June 21, 1934.


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


AWARD

Claim disposed of in accordance with the above opinion.

SPECIAL BOARD OF ADJUSTMENT NO. 117

  
Livingston Smith -- Chairman

  
C. O. Griffith -- Employee Member

  
G. W. Johnson -- Carrier Member

St. Louis, Missouri  
May 31, 1956

