



CASE NO. 19  
ORT- None

SPECIAL BOARD OF ADJUSTMENT NO. 306

THE ORDER OF RAILROAD TELEGRAPHERS

VS.

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY

STATEMENT  
OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on the New York, New Haven and Hartford Railroad Company that:

1. The terms of the Agreement between the parties have been and are being violated when, effective November 25, 1958, the Carrier arbitrarily declared abolished the position of agent, Apponaug, Rhode Island, and consolidated said position with the position of agent, Hills Grove, Rhode Island, under one agent who is required to divide his time during his regular tour of duty between two agency stations.
2. The agency position at Apponaug shall be restored and Mr. E. L. LaCoste, who held the position of agent at the time it was declared abolished, shall be restored thereto and reimbursed the difference between that which he earned on other positions and what he would have earned on his position as agent, Apponaug.
3. The Carrier shall be required to reimburse M. J. R. Serpa, or W. H. Parenteau, or N. G. Desrosiers, all of whom were senior extra employes, as their interest may appear, the equivalent of one day's pay for each day that the position of Apponaug agent was not filled, commencing November 25, 1958. If on any such day one of the three named extra employes is found to have been unavailable, such extra employe as may be entitled thereto shall be compensated the equivalent of one day's pay at the rate of the position of agent, Apponaug.
4. All other employes who were deprived of work as a result of the violative act of the Carrier shall be reimbursed for losses."

FINDINGS:

Effective November 25, 1958 the carrier cancelled LCL rates at Apponaug, closed the station, abolished the position of Agent and placed the remaining carload business under the jurisdiction of the agent at Hillsgrove. Such carload business had then been reduced to about one carload per week.

Thus it appears that the work and duties, for which the position of agent had been created at Apponaug, were substantially eliminated. Under such circumstances the agreement was not violated by the abolition of such position. See our Award in Case No. 1.

AWARD: Claim denied.

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/s/ Dudley E. Whiting  
DUDLEY E. WHITING, REFEREE

/s/ Russell J. Woodman  
RUSSELL J. WOODMAN, Employee Member

/s/ J. J. Gaherin  
J. J. GAHERIN, Carrier Member

DATED: October 7, 1960.