

Award No. 4  
Case No. 4  
ORT File 2818

SPECIAL BOARD OF ADJUSTMENT NO. 525

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DENVER AND RIO GRANDE WESTERN RAILROAD

STATEMENT OF CLAIM:

- 1) The carrier has violated and continues to violate the agreement between the parties when, effective May 1, 1958, it abolished the second, third and relief positions at DU Denver without abolishing the work of the above positions, and turned over the work of these positions to employees not under the agreement.
- 2) The duties and work of the above positions shall be restored to the scope of the agreement and former incumbents (Second Telegrapher O. Gaisler, Third Telegrapher B. L. Lynn and Relief Telegrapher L. Garton) shall be returned to their assignments, and any other employees under the Telegraphers' Agreement improperly displaced from their regular assignments as a result of this violation be restored to their respective positions and all these employees be compensated for any loss of wages and expenses incurred, and this claim to continue until the above violation of the agreement is corrected.

FINDINGS:

This Board, upon the whole record and all of the evidence, finds that:

The Carrier and the Employee and Employees involved in all of the disputes involved in this docket of cases are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934, and as since amended.

This Board has jurisdiction over the disputes involved herein. The parties to said disputes were given due notice of hearing thereon.

SPECIFIC FINDINGS:

Evidence of record fails to support claim of violations of telegraphers' scope rule.

- 2 -

AWARD

Claims denied.

/s/ J. Glenn Donaldson  
J. Glenn Donaldson, Neutral Member  
Chairman

/s/ R. K. Anthis  
R. K. Anthis, Organization Member

/s/ J. W. Lovett  
J. W. Lovett, Carrier Member