

Award No. 1054
Docket No. CL-1183

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

THE WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: "Claim of System Committee of the Brotherhood that position of Freight Bill Clerk (Billing Department), at San Francisco Local Office rate \$5.35 per day, should be rated and classified as General Clerk, rate \$5.90 per day, effective April 1, 1939."

EMPLOYEES' STATEMENT OF FACTS: "The position of Freight Bill Clerk (Billing Department) San Francisco was created during the early part of 1937, and was rated at \$4.95 per day (\$5.35 since August 1, 1937). The rate of \$5.35 per day for this position is not an agreed upon rate.

"The duties assigned to this position are as follows:

"Making outbound prepay freight bills	3½ hours
Various work on O. S. & D. Desk	2½ "
Outbound waybilling	2 "

"Making outbound prepay freight bills is work that was assigned to the O. S. & D. Clerk (\$5.62 per day) at the time of the general revision of rates of pay in 1927.

"The work on the O. S. & D. Desk consists of assisting the Head Claim Clerk in handling correspondence relative to claims, tracers, and O. S. & D. reports. This requires a thorough knowledge of claim rules. At the time of the general revision of rates of pay in 1927 this work was assigned to the claim clerk (\$5.71 per day). This position of Claim Clerk has since been abolished.

"In addition to the above work on the O. S. & D. Desk, the incumbent of the position of Freight Bill Clerk also makes up reports relative the over, short and damaged freight handled at the station. At the time of the general revision of rates of pay in 1927, this work was performed by and constituted an integral part of the duties of the O. S. & D. Clerk, rate \$5.62 per day.

"The outbound waybilling consists of billing out local and company shipments of less carload freight. The incumbent also bills out any local or interline billing that may be assigned him. The occupant of the position is required to be thoroughly conversant with routings of freight and to have all of the qualifications ordinarily required of a bill clerk, and must perform the same type of work as the Second Bill Clerk, rate \$6.03 per day and, with the exception of rating and transit work, performs the same type of duties required of the First Bill Clerk, rate \$6.69 per day.

Clerks' Organization to appeal to your honorable Board in this dispute, we respectfully request opportunity of discussing and answering in detail, any statements made by employees in connection with this dispute and opportunity to submit evidence and arguments in connection with statements of the employees."

OPINION OF BOARD: A joint check was submitted by the parties at request of the Board and in the opinion of the Board makes available information which should enable establishment of a rate for this position that would be satisfactory. The case will be remanded and if not thus disposed of it may be resubmitted to this Board.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the carrier and the employee involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934:

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

That the case be remanded in accordance with above Opinion.

AWARD

Claim remanded in accordance with Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 9th day of April, 1940.