

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: This is a claim of the System Committee of the Brotherhood that:

(1) The Carrier violated and continues to violate the rules of the Clerks' Agreement through its unilateral action in gradually transferring work previously performed in the Superintendents' Offices of the Western and Eastern Divisions (Seniority Districts 18 and 19 respectively) to Traveling Accountants and/or other employees holding positions in Seniority District 4.

(2) All Employees adversely affected as a result of the improper transfer to Traveling Accountants in Seniority District 4, of the work previously performed by Assistant T & E Timekeepers in the Superintendent's Office (Seniority District 18), be compensated for wage loss sustained beginning December 5, 1955, and continuing until the violation is corrected. If, because of resignation or other reasons, the employees originally adversely affected are no longer in the service, then the occupants of the 4 positions in the Timekeeping Department in the Superintendent's Office in Sacramento, Messrs. V. O. Davison, K. G. Williams, G. E. Darling and J. A. Anderson and their successors, are entitled to be compensated for 2 hours each at the overtime rate for each day of the violation.

(3) Clerks M. E. Lindley, E. W. Goodrum, M. E. Wingate and W. H. Warrell, be additionally compensated for 8 hours pay at the rate of time and one-half for each work day, February 13 to March 2, 1956, inclusive, and that Clerks E. W. Goodrum, M. E. Wingate and W. H. Warrell, all holding seniority rights in Seniority District 18, be additionally compensated for 8 hours at the rate of time and one-half for each day March 5, 6, 12, 13, 14, 15 and 16, 1956, account clerical work in connection with checking overtime vouchers and calculations of Roadway and B & B Timerolls in the Superintendent's Office in Sacramento, California, being performed by Mr. J. W. Wragg, Traveling Accountant in Seniority District 4.

(4) Mr. J. A. Anderson shall now be compensated for 8 hours pay at the rate of time and one-half for each work day from Febru-

ary 15 to April 16, 1956 inclusive, because of the improper removal of the work involved in the distribution of W-2 Tax Forms from the Superintendent's Office at Sacramento, California (Seniority District 18) and the transfer of that work to employees in the Accounting Department in San Francisco (Seniority District 4).

(5) Mr. T. N. Sullivan, Assistant Accountant in the Superintendent's Office at Sacramento, California shall now be additionally compensated for 8 hours pay at time and one-half for each day beginning March 5, 1956, and continuing until the violation involved in the transfer to employees in the Accounting Department in San Francisco, of the work of checking expense accounts for errors in calculations, is discontinued and the work returned to employees in the Superintendent's Office (Seniority District 18).

(6) Mr. Don Richmond shall now be additionally compensated for 8 hours at time and one-half for each working day beginning June 28, 1956, and continuing until the violation involved in the improper transfer of checking extensions and additions of the trainmen's, enginemen's and switchmen's accounts, by Traveling Accountants in Seniority District 4, is discontinued and the work returned to employees in the Superintendent's Office at Sacramento, California (Seniority District 18).

(7) Messrs. V. O. Davison, K. G. Williams, Frank O'Leary and Don Richmond in Seniority District 18, are entitled to and shall now be additionally compensated for 14 hours overtime each or a total of 56 hours, account having been denied the opportunity to perform the work involved in compiling a report of the cost of switching at Milpitas from the time record books, board record reports, and 800 reports in the Superintendent's Office in Sacramento, which work was performed by Mr. J. G. Etchebehere, Traveling Accountant in Seniority District 4.

(8) Mr. T. N. Sullivan is entitled to and shall now be additionally compensated for 8 hours at the overtime rate for each work day beginning May 17, 1956, and continuing until the violation involved in the transfer to Traveling Accountants (in Seniority District 4), of the clerical work involved in drawing off charges to account 511, is discontinued and the work thereof returned to employees in the Superintendent's Office in Sacramento, California (Seniority District 18).

(9) Mr. F. H. Oldham is entitled to and shall now be additionally compensated for 8 hours pay at the rate of time and one-half for each work day beginning July 27, 1956, and continuing until the violation involved in the improper transfer to employees in Seniority District 4, of the work of checking expense accounts, is discontinued and the work returned to employees in the Superintendent's Office at Elko, Nevada (Seniority District 19).

NOTE: Continuing dates involved in these claims to be determined by a joint check of the Carrier's records.

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

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing thereon has been held and concluded. Under date of September 2, 1958, the parties jointly advised the Secretary of the Third Division of their desire to withdraw this case from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 16th day of September, 1958.