

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Norris C. Bakke, Referee

PARTIES TO DISPUTE:

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

CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, that the Carrier violated the Clerks' Agreement:

(1) When effective September 1, 1954, it transferred clerical work from clerical position to the Telegraph Operators, employes of another craft, and also on December 4, 1954 the Carrier abolished position of General Clerk and assigned additional clerical work to the Telegraphers at Enid, Oklahoma.

(2) That the clerical work performed by the Telegraphers, employes of another craft, be returned to the clerical forces.

(3) That the Carrier be directed by appropriate Board Order to reimburse Clerks C. E. Davis and W. B. Crow for a call each day claimed until the violation has been discontinued in accordance with claim shown under Statement of Facts.

See Award 8781 for Statement of Facts and Positions of the Parties.

OPINION OF BOARD: This docket is before us again by virtue of our Award 8781 wherein we held that disposition on the merits would be withheld pending the giving of notice to the Telegraphers' Organization.

Such notice was given and the Telegraphers responded with a disclaimer. See Award No. 8851.

As to the merits of this case, it is a companion case to that in Docket CL-8135 involving the same Carrier and same rules in which we issued a denial award, Award No. 8851.

A similar Award is in order here. The Carrier did not violate the Agreement and the claim is denied.

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 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; and

That Carrier did not violate the Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 18th day of June, 1959.