

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19325  
Docket Number CL-18017

Gene T. Ritter, Referee

(Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station Employees  
PARTIES TO DISPUTE: (  
(Chicago, Milwaukee, St. Paul and Pacific Railroad Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-6496)  
that:

1) Carrier violated the Clerks' Rules Agreement and the February 7, 1965 Agreement, particularly Articles III and VIII thereof, beginning on June 12, 1967 and continuing through July 26, 1967 when it abolished Bill Clerk Position No. 59270 at Mankato, Minnesota effective 3 PM, June 9, 1967, and transferred the work thereof to the Agent who is not covered by the Scope of the Clerks' Agreement.

2) Carrier shall be required to return the Bill Clerk work involved at Mankato, Minnesota to the scope of the Clerks' Agreement and the employees covered thereby.

3) Carrier shall be required to compensate employee R. F. Johnson an additional eight (8) hours at the straight time rate of pay of Position 59270 for each of the following dates:

June 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30,  
July 3, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 20, 21, 24, 25 and  
26, 1967.

OPINION OF BOARD: A perusal of the facts of record in this dispute concludes that they are identical in all pertinent parts to those contained in a previous dispute between the same parties involving the same agreement in Award 12148 (Engelstein). For reasons stated in Award 12148, we will deny the claim.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

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;

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

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

E A Killen  
Executive Secretary

Dated at Chicago, Illinois, this 30th day of June 1972.