

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19424
Docket Number TE-14948

Thomas L. Hayes, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,
(Freight Handlers, Express and Station Employees
(Formerly The Order of Railroad Telegraphers
(
(Southern Pacific Company (Pacific Lines)

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad
Telegraphers on the Southern Pacific Company (Pacific
Lines), that:

1. Carrier violates the Agreement between the parties when beginning June 1, 1962 and continuing thereafter it requires or permits employees not covered by said Agreement to handle messages from the baggage room at Phoenix, Arizona to the clerk in the Chief Dispatcher's Office at Tucson, Arizona, and from the clerk in the Chief Dispatcher's Office at Tucson to the clerk in the Phoenix baggage room.

2. Carrier shall compensate the following named employees, or their successors, as follows:

a. N. E. Marquis, regularly assigned relief telegrapher clerk wire chief PMO, for one special call on June 1 and 7, 1962.

b. Grace Townley, regularly assigned relief PMO telegrapher clerk, for one special call on June 1 and 7, 1962.

c. F. T. Davis, regularly assigned second wire chief PMO telegrapher mechanician, for one special call on June 2, 5 and 6, 1962.

d. E. L. Little, regularly assigned PMO #15 UN Telegraph Office, Tucson, for one special call on June 2, 1962.

e. W. M. Gorman, regularly assigned manager wire chief PMO telegrapher clerk "UD" Phoenix, for one special call on June 3 and 4, 1962.

f. L. J. Boyed, regularly assigned #10 PMO telegrapher clerk UN, for one special call on June 3 and 4, 1962.

g. H. J. Edmonds, regularly assigned second wire chief PMO telegrapher clerk UN, one special call on June 5, 1962.

h. G. V. Fimbres, regularly assigned relief wire chief PMO telegrapher clerk, for one special call on June 6, 1962.

OPINION OF BOARD: On June 1, 1962, the clerk in the Baggage Room at Phoenix telephoned the clerk in the Chief Dispatcher's office at Tucson and discussed the car situation at Phoenix, including such matters as whether cars on hand were in bad order or suitable condition for loading and so forth. Similar information was exchanged on several subsequent occasions also involved in this claim.

The Organization argues that telephone conversations of the type we are concerned with here should be assigned to the operators at Phoenix and Tucson.

After reviewing the record in this case, the Board is of the Opinion that the Claimants failed to prove that the work in dispute is work reserved exclusively to telegraphers and we are therefore compelled to deny the claim.

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 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 29th day of September 1972.