

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19902
Docket Number CL-19859

Joseph A. Sickles, Referee

(Brotherhood of Railway, Airline & Steamship **Clerks**,
(Freight Handlers, Express & 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-7193) that:

1) Carrier violated and continues to violate the Clerks' Rules Agreement when it arbitrarily, without conference, negotiation or agreement between the parties, abolished positions in Seniority District No. 156 at Austin, Minnesota and transferred the work to positions and **employees** in Seniority District No. 158, 150 and 154 located at Cedar Rapids, Minneapolis and Sioux City respectively.

2) Carrier shall now be required to **compensate** employee E. F. Smith for eight (8) hours at the straight time rate of pay of Chief **Revising** Clerk Position 88620 for May 17, 1971 and for all subsequent days until the violation is corrected.

3) Carrier shall now be required to compensate employee S. S. **McGuire** for eight (8) hours at the straight time rate of pay of Bill Expense Clerk Position 88640 for May 7, 1971 and for all subsequent days until the violation is corrected.

4) Carrier shall now be required to compensate employee R. O. **Jahr** for eight (8) hours at the straight time rate of pay Grade A-Revising Clerk Position 88630 for May 7, 1971 for all subsequent days until the violation is corrected.

5) Carrier shall now be required to compensate employee L. T. Williams for eight (8) hours at the straight time **rate** of Cashier Position 88600 for May 7, 1971 and for all subsequent days until the violation is corrected.

OPINION OF BOARD: The Organization **protests** the transfer of work from one seniority district to another.

The employees failed, on the property, to cite any specific rule of the Agreement as having been violated. This Board has recently decided in Awards 19857 and 19858 concerning the same parties. For the reasons stated in those **Awards**, the claim herein is dismissed.

Award Number 19902
Docket Number CL-19859

Page 2

As stated in Awards 19857 and 19858, inasmuch as this claim is disposed of on procedural grounds, no determination is made concerning other issues raised by the parties.

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;

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

That the claim be dismissed for reasons set forth in the Opinion.

A W A R D

That the claim is dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Executive Secretary

Dated at Chicago, Illinois, this 8th day of August 1973.

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19902
Docket Number CL-19859

Joseph A. Sickles, Referee

(Brotherhood of Railway, Airline & Steamship Clerks,
(Freight Handlers, Express & Station Employees

PARTIES TO DISPUTE: (
(Chicago, Milwaukee, St. Paul and Pacific Railroad
(Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
(CL-7193) that:

1) Carrier violated and continues to violate the Clerks' Rules Agreement when it arbitrarily, without conference, negotiation or agreement between the parties, abolished positions in Seniority District No. 156 at Austin, Minnesota and transferred the work to positions and employees in Seniority District No. 158, 150 and 154 located at Cedar Rapids, Minneapolis and Sioux City respectively.

2) Carrier shall now be required to compensate employee E. F. Smith for eight (8) hours at the straight time rate of pay of Chief Revising Clerk Position 88620 for May 17, 1971 and for all subsequent days until the violation is corrected.

3) Carrier shall now be required to compensate employee S. S. McGuire for eight (8) hours at the straight time rate of pay of Bill Expense Clerk Position 88640 for May 7, 1971 and for all subsequent days until the violation is corrected.

4) Carrier shall now be required to compensate employee R. O. Jahr for eight (8) hours at the straight time rate of pay Grade A-Revising Clerk Position 88630 for May 7, 1971 for all subsequent days until the violation is corrected.

5) Carrier shall now be required to compensate employee L. T. Williams for eight (8) hours at the straight time rate of Cashier Position 88600 for May 7, 1971 and for all subsequent days until the violation is corrected.

OPINION OF BOARD: The Organization protests the transfer of work from one seniority district to another.

The employees failed, on the property, to cite any specific rule of the Agreement as having been violated. This Board has recently decided in Awards 19857 and 19858 concerning the same parties. For the reasons stated in those Awards, the claim herein is dismissed.

Award Number 19902
Docket Number CL-19859

Page 2

As stated in Awards 19857 and 19858, inasmuch as **this** claim is disposed of on procedural grounds, no determination is made concerning other issues raised by the parties.

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**;

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

That the claim be dismissed for reasons set forth in the Opinion.

A W A R D

That the claim is dismissed.

NATIONAL RAILROAD **ADJUSTMENT** BOARD
By Order of Third Division

ATTEST:

A. W. Paulson

Executive Secretary

Dated at Chicago, Illinois, this 8th day of **August** 1973.