

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **21053**
Docket Number CL-20795

Dane E. Eischen, Referee

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

PARTIES TO DISPUTE: (**(Elgin, Joliet** and Eastern Railway Company

STATEMENT OF CLAIM: Claim of the System **Committee** of the Brotherhood
(GL-7628) that:

1. The Carrier violated the rules of the effective Clerks' Agreement, particularly the Memorandum of Agreement, dated July 23, 1969, when on Monday, April 2, 1973 and Sunday, April 8, 1973, it required and/or permitted **employees** not covered by the scope of the governing Agreement to perform work covered by the scope thereof.

2. The Carrier shall now be required to compensate Input/Output Technician Richard L. **Knoles** thirty (30) minutes' pay at the time and one-half rate of Position No. GT-551 for Monday, April 2, 1973 and one (1) hour and twenty (20) minutes' pay at the time and one-half rate of Position NO. GT-551 for Sunday, April 8, 1973.

OPINION OF BOARD: This is the last of four related claims alleging violations of Clerk's Agreements where supervisors operated teleprocessing devices to retrieve **information** from Carriers computerized Car Control System. The positions of the parties, Agreement provisions and analyses **common** to all four cases are set forth in detail in **Award 21050**.

The instant claim involves **two** supervisory **employees** operating **a** teleprocessing device (**Rms-4-SCR**) at different times on two different **dates** by use of Forms 48 and 61 to extract information (Output) from the computer. Specifically, **Trainmaster H. Mazurek** operated the device from **5:10 P.M. to 5:40 P.M.** on Monday, April 2, 1973. Also **Mazurek** operated the device on Sunday, April 8, 1973 from **5:00 P.M. to 5:15 P.M.** On the latter date, Assistant **Trainmaster L. Woodbury** operated the device from **7:10 P.M. to 7:40 P.M.** and from **8:45 P.M. to 9:20 P.M.** At all material times the **Claimant, R. L. Knoles** was on duty as Input/Output Technician, 4:00 P.M. to Midnight, rest days Friday and Saturday.

For reasons set forth with particularity in Award **21050** we shall sustain the claim.

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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 Employes involved in this dispute are respectively Carrier and Employes 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 violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Executive Secretary

Dated at Chicago, Illinois, this 29th day of April 1976.