

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21492
Docket Number CL-21394

William G. Caples, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and
(Steamship Clerks, Freight Handlers,
(Express and Station Employees
(
(Norfolk and Western Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood,
GL-7951, that:

1. Carrier violated the Agreement between the parties when
E. C. Duncan, et al, were required to supply Diesel Locomotives on various
dates in September 1973.

2. Carrier shall now pay each claimant the additional time
claimed for work on positions not covered by the clerks craft or class.

OPINION OF BOARD: The essential facts involved in this matter are not
in dispute. Claimants were each assigned to positions
of Storehelp-Caboose Attendant at Bellevue, Ohio, terminal. Among the
primary duties of these positions was the requirement to Supply cabooses
with drinking water, ice, paper cups, paper towels, etc. On the dates in
question Claimants were required during their tours of duty to place
~~drinking water, ice, paper cups, paper towels or some of them in the~~
operating cabs of diesel locomotives on trains which were run through the
Bellevue terminal. For performing this service, they presented claims
for various amounts of time ranging from two (2) hours to eight (8) hours'
payment at the punitive rate.

Our examination of the entire record in this case and the rules
of the agreement allegedly violated reveals that there was no violation
of the rules agreement involved when the claimant Caboose Attendants
placed supplies such as cups, ice, towels, drinking water, etc. on the run-
through diesel locomotives.

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 **agreement was** not violated.

A W A R D

Claim denied.

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

ATTEST: *A. W. Pauls*
Executive Secretary

Dated **at Chicago, Illinois**, this 15th **day** of April 1977.

