

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21638  
Docket Number CL-21446

Robert W. Smedley, Referee

(Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station **Employees**  
PARTIES TO DISPUTE: ( **(Southeastern Demurrage and Storage Bureau**

STATEMENT OF CWM: **Claim** of the **System** Committee of the Brotherhood  
(GL-7980) that:

(a) The Bureau has and continues to violate the Clerks' Agreement when they established a new position of "**Demurrage Clerk**" at **Plant City**, Florida on October 1, 1974 without bulletining this position as provided for in the existing Rules Agreement.

(b) That the Bureau shall now be required to bulletin this position as a new position **and compensate** Claimant G. M. Riley for each of his regularly assigned days **commencing** October 1, 1974 and continuing until the above position is bulletined at his basic rate of pay at the pro rata rate in addition to any **compensation** he has already received.

OPINION OF BOARD: The record before the Board shows that effective November 1, 1966, the Southeastern **Demurrage** and Storage Bureau took over the complete maintenance of **demurrage** records for the Seaboard Air Line Railroad at Plant City, Florida. At that time the **demurrage** work was assigned to demurrage position located at Mulberry, Florida.

Effective March 12, 1973, the Seaboard Coast Line Railroad notified the **Demurrage and Storage Bureau** that the services of the Bureau would no longer be required at Plant City. On or about October 1, 1974, the Seaboard Coast Line Railroad again requested that the **demurrage** work at Plant City be performed by the D-rage Bureau. The demurrage work was again assigned by the **Demurrage** Bureau to the **demurrage** position located at **Mulberry, Florida**.

The Petitioner contends that when the **Demurrage** Bureau resumed the d-rage work at Plant City on October 1, 1974, a "**Demurrage Clerk**" position should have been bulletined at that location.

We have reviewed the record carefully **and** find no rule or established practice to support the contention of the Petitioner. The claim will, therefore, be denied.

**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 29th **day** of July 1977.

