

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **22126**  
Docket Number **CL-21841**

Don Hamilton, Referee

(Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( **Express** and Station Employees  
PARTIES TO DISPUTE: (  
(Southern Pacific Transportation Company  
( (Pacific Lines)

STATEMENT OF CLAIM: Claim of the System **Committee** of the Brotherhood  
(**GL-8222**) that:

(a) The Southern Pacific Transportation Company violated Rule 5 of the Clerks' Agreement when it refused to reclassify **Rate** Clerk Position No. **15, Fresno**, California, to Head Rate Clerk and adjust the rate of pay **therefor commensurate** to like **positions on** the seniority district.

(b) **The** Southern Pacific Transportation Company shall now be required to reclassify Position No. 15 with upward rate **adjustment** as set forth in paragraph (a) above, retroactive to May 15, 1973.

OPINION OF BOARD: Award No. 15 of Public Law Board No. 843 involved the **same** parties to this dispute. In that case, a **similar** claim was denied.

We will follow that authority.

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;

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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 **30th** day of **June 1978**.

