

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

**Award Number 22140
Docket Number CL-21824**

Don Hamilton, Referee

PARTIES TO DISPUTE: { **Brotherhood of Railway, Airline and
Steamship Clerks, Freight Handlers,
Express and station Employees**
{ **Consolidated Rail Corporation
(Former Lehigh Valley Railroad Company)**

STATEMENT OF CLAIM: **Claim of the System Committee of the Brotherhood
(GL-8212) that:**

(a) The Carrier violated the Rules Agreement, effective May 1, 1955, particularly but not necessarily limited to, Rules 1, 2, 3, 5, 6, 7, 9, 23 and others, when it transferred work from the New York District to Bethlehem, Pennsylvania and abolished the position of Bill Clerk, assigned to Mrs. Dolores Anderson, in its Newark, New Jersey Freight Office.

(b) The Carrier now be required to compensate Mrs. Dolores Anderson for one basic day at the rate of the abolished Bill Clerk position at Newark, New Jersey for October 10, 1974 and each assigned working day thereafter until the position is restored or violation otherwise corrected.

OPINION OF BOARD: This claim is premised upon the abolishment of Claimant's Bill Clerk position, which included the work of manually retyping waybills on piggyback shipments at the Metropolitan Reight Agency, Newark, N. J., and the assignment of this work to an agent at Bethlehem, Pennsylvania.

The undisputed facts show that prior to the inauguration of the Sycor Communication System, Claimant was required to manually prepare a new waybill to include information received from the customer which was not shown on the original waybill. The Carrier contends that with the introduction of the automated equipment, and its installation at Bethlehem, Pennsylvania, this manual retyping function was eliminated as there was no longer any need for a separate retyping operation. The information was recorded on magnetic tape and subsequent data was entered into the system and a complete waybill was produced automatically.

In our opinion, there was no encroachment of the Scope rule when the work functions were automated; consequently, we can find no violation of the agreement under the facts presented.

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; end

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. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 31st day of July 1978.

