

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22142  
Docket Number CL-21835

Don Hamilton, Referee

(Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( Express and Station Employees  
**PARTIES TO DISPUTE:** (  
(Chicago, Milwaukee, St. Paul and Pacific  
( Railroad Company

**STATEMENT OF CLAIM:** Claim of the System **Committee** of the Brotherhood  
(GL-8220) that:

1) Carrier violated the Clerks' Rules **Agreement at** Tacoma,  
Washington **on** July 7, 8, 9, 10 and 11, 1975 **when** it permitted an **employee**  
of another craft to perform work **assigned** to Clerks.

2) Carrier **shall now** be required to compensate **employee**  
P. Wood for forty (40) hours at the rate of pay of Position No. 19020.

**OPINION OF BOARD:** Linda Curtis is regularly assigned to Position  
No. 19020, District 45, Tacoma, Washington. She  
was on vacation July 7, 8, 9, 10, and 11, 1975. She **was** relieved by  
J. P. Paratich, who hold8 seniority as a Ca-.

Claimant **P.** Wood seeks **compensation** for forty hours at the  
rate Of pay **of**Position No. 19020.

The evidence is clear and &mincing that the Carrier **used**  
a **Carman**, an **employee** outside **the** scope of the **Agreement**, to perform  
work **on** the position involved.

The **Carrier** argues that Wood is not the proper Claimant and  
that the **Agreement** contain8 no **rule** providing for payment in cases of  
**this** nature. We reject both contentions.

The position of **the** Organization is well taken, and the claim  
**is sustained.**

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 violated.

A W A R D

**Claim sustained.**

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

ATTEST:

*A. W. Pauls*  
Executive Secretary

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

