

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **22155**  
Docket Number CL-21200

Walter C. Wallace, Referee

(Brotherhood of Railway, airline and  
( Steamship Clerks, Freight Handlers,  
( **Express and Station Employees**  
**PARTIES TO DISPUTE:** (  
(Burlington Northern Inc.

**STATEMENT OF CLAM:** Claim of the System Committee of the Brotherhood,  
**GL-7822**, that:

1. Carrier violated **the** roles of **the** current Clerks' Agreement at Grand **Rapids**, Minnesota, when it assigned three hours of yard checking on Saturday and Sunday that was previously performed by the General Clerk, to an **employe** of a different class and craft.

2. Carrier **shall** now be required to compensate **employe**, **Mr. Herbert Kauppi**, regularly assigned Clerk, Grand Rapids, Minnesota three hours overtime for February 2, 3, 9, 10, 16, 17, 1974 and each and **every** Saturday and Sunday thereafter that the Carrier violates the Clerks' Working Agreement by having Telegraphers perform **yard** checking work.

**OPINION OF BOARD:** The operative facts **in this** case are essentially the **same** as those **found** in Award No. **21871** of this Division. **In that case we** ruled on the **claim as** it pertained to the Monday through Friday assignment. In **this** case we are concerned with the Saturday and Sunday portion of the same assignment.

We have **examined** both the record in this case and the conclusions reached in Award **No. 21871**. We can find **no** basis on **which** to reach any different conclusion than that reached in Award No. 21871.

Therefore, **we** have no alternative but to deny this claim.

**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 Rmloyes involved in this dispute are respectively Carrier and Rmloyes 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

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 31st** day of July **1978**.

