

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22189
Docket Number CL-22200

Don Hamilton, Referee

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

STATEMENT OF CLAIM: Claim of **the** System Committee of the Brotherhood
(GL-8407) that:

(a) **The** Southern Pacific Transportation Company violated the Clerks' Agreement extant when it arbitrarily and without Agreement support required Mrs. H. C. **Jeung** to abandon her position and the duties attached thereto in the Yard Timekeeper's Section to go into the Train Timekeeper's Section and perform duties of a Trainman's Timekeeper, and;

(b) The Southern Pacific Transportation Company shall now be required to allow Mrs. **H. C. Jeung** an additional eight (8) hours' compensation at rate of Timekeeper October 25, 26 and 29, 1973 and each work day thereafter until she is returned to the Timekeeper position in the Yard Section from which she was arbitrarily **removed**.

OPINION OF BOARD: Claimant here disputes her utilization in **time-**
keeping functions other than those which she allegedly normally performs. In this particular case, Claimant was given trainmen audits to handle **in** lieu of yard audits which she had been handling prior to the claim date.

The record shows that Claimant was one among 61 timekeepers in the San Francisco General Office at the **time** the claim arose. Her position, along with the sixty others, are all bulletined with the same hours of assignment, same **meal** period and **same** rest days. They are all **five** (5) day positions (with no relief **on** rest days), they all have the same rate of pay and they all do timekeeping and related work.

Under the circumstances of this record, and the rules cited for support of this claim, we are unable to find any agreement violation. **Accordingly**, we **deny the** 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 **Employes** involved in this dispute are respectively Carrier and **Employes** 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. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 29th day of September 1978.

