

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22210  
Docket Number CL-22012

George S. Roukis, Referee

(Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( **Express** and Station **Employees**  
PARTIES TO DISPUTE: (  
(Seaboard Coast Line Railroad **Company**

STATEMENT OF CLAIM: **Claim** of the System Committee of the Brotherhood  
GL-8323, that:

"(1) Carrier violated Rule 1 of the current Agreement(s)  
September 19, 20, 25, October 8 and 9, 1975, at various times when it  
**permitted and** required Switch Foremen, employees not covered by the  
Agreement **and** holding no seniority thereunder, **Savannah**, Georgia, to  
bleed the air off cuts and trains in Southover Yard.

(2) Carrier shall be required to compensate Clerk Jessie  
Keith, Jr. one (1) day's pay, eight (8) hours at one **and** one-half times  
the pro rata rate of position assigned September 19, 20, 25, October 8  
**and** 9, 1975, for the violation set forth above."

OPINION OF BOARD: In this case, the Scope rule of the Clerks' **Agreement**  
does not **specifically** require Carrier to use clerks  
**only to bleed air**. There is no evidence of an institutionalized past  
practice. In fact, the Scope **rule** and its attendant **interpretations were**  
**carried forward from the rule's original incorporation** in the predecessor  
**agreement** of the Atlantic Coast Line Railroad Company and rendered  
applicable to the Seaboard Coast Line Railroad Company.

Moreover, given the **nature** of the work force deployment  
practices herein, we cannot disregard the precedential authority of  
the numerous National Railroad Adjustment Board Divisions' decisions  
which have disposed of this type of issue. Particular attention is  
directed toward Third Division Award 7113, where we held in pertinent  
part that,

"**Every** Division of this Board has held that the work  
of bleeding cars belongs to **no** particular craft, but  
may be done by members of any group as incidental to  
their regular work."

We find nothing in the record to indicate a contrawise situation here.  
Accordingly, we **must 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 **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 not violated.

A W A R D

**Claim** denied.

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

ATTEST: *C.W. Pauls*  
Executive Secretary

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

