

NATIONAL RAILROAD **ADJUSTMENT** BOARD

THIRD DIVISION

Award Number **22282**

Docket Number CL-22116

Rolf **Valtin**, 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-8371) that:

(a) The Southern Pacific Company (now the Southern Pacific Transportation Company) violated the Clerks' Agreement extant when it arbitrarily required Train Timekeeper Flora Fambrini to trade positions and duties with Maintenance of Way Timekeeper Alice Danielson; and,

(b) The Southern Pacific Transportation Company shall now be required to allow Flora **Fambrini** eight (8) hours additional compensation at Timekeeper's rate of pay February 7, 1968 and each date thereafter until she is placed back on her position as Train Timekeeper.

OPINION OF BOARD: As revealed in the Statement of Claim, this case originated more than ten years ago. Claimant was one of **some** seventy Timekeepers in the Carrier's Payroll Department at its San Francisco General Headquarters. All of the Timekeeper posts were bulletined as **5-day** posts, had the same work days, hours, and **meal** periods, and were of identical rates of pay. **In** early 1968, the Carrier rearranged the duties in four of the posts for efficiency purposes. The claimant held one of the four posts. The rearrangement in her case resulted in the substitution of certain maintenance-of-way audits for certain train audits.

The claimant's additional-compensation request is based on alleged violations of certain Rules (Nos. 26, 27, 28 and 33) under the then-current Agreement. We have examined these Rules in relation to the underlying facts. We see nothing in them which would have barred the duty rearrangements. We find the claim ill-founded.

Additionally presented in the case is the Organization's contention that the Manager of Payroll and Miscellaneous Services denied the claim in a manner which violated the claimant's rights under a certain portion of the 1954 National Agreement. We reject this contention as well. Though brief, the Manager's letter **was** within the pertinent requirements (as discussed and held in a series of Third Division Awards).

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: A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 12th day of January 1979.