Form 1 NATIONAL RAILROAD ADJUSTMENT BOARD Award No. 27130
THIRD DIVISION Docket No. MS-27855
88-3-87-3-383

PARTIES TO DISPUTE: (J. A. Marchese
(
(The Atchison, Topeka and Santa Fe Railway Company

STATEMENT OF CLAIM: "Claim of J. A. Marchese (424) that:

(a) Carrier violated the provisions of the current Clerks' Agreement at Barstow and Los Angeles, California when it improperly bulletined positions 6166, 6056, 6182, 6128, 6281 and 6290 on May 28, 1986, June 6, 1986, June 10, 1986, June 13, 1986 and June 11, 1986, by inserting the term 'and other duties as may be assigned' or similar words under description of job duties, and

(b) Carrier shall be prohibited from using the term 'and other duties as may be assigned' or similar language under description of job duties when bulletining a position, and

(c) Ms. J. A. Marchese shall now be compensated $12,013.41 plus $621.90 for each day after July 9, 1986, and

(d) Ms. J. A. Marchese shall now be compensated interest and any other penalties and awards deemed proper by this Honorable Board."

FINDINGS:

The Third Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

As Third Party in Interest, the Transportation Communications Union was advised of the pendency of this dispute and filed a Submission with the Division.

At the outset, we note that the Claimant has other claims for the same period. This Board has consistently held that pyramiding, compounding and duplicating claims cannot be supported. For this reason alone, the Claim warrants dismissal.

Beyond such defect, the facts indicate that no conference was held as required by Rule 47 of the Agreement and the Railway Labor Act. For the reasons set forth in Third Division Award 26749, the Claim must be dismissed.

Finally, even if the merits could be reached, we can find nothing in the applicable Agreement between the Carrier and the Organization which supports the Claimant's position that such Agreement was violated.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 17th day of May 1988.