

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISIONAward No. 29693  
Docket No. CL-29714  
93-3-91-3-65

The Third Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

PARTIES TO DISPUTE: (Transportation Communications International  
(Union  
(  
(CSX Transportation, Inc. (former Seaboard  
(Coastline Railroad Company)

STATEMENT OF CLAIM:

"Claim of the System Committee of the Brotherhood  
(GL-10538) that:

1. Carrier violated the Agreement when it failed and refused to allow Claimant (Senior Available Clerk, preferably unassigned) compensation at the rate of \$104.70 for first, second, and third-shift from October 12, 1988 and continuing until violation is corrected.
2. Carrier shall compensate Claimant \$104.70 for each of these dates."

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 employe 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.

The issues and Rules involved in this docket are similar in substance to those involved in Third Division Award 29612. In that Award, the Board exhaustively reviewed the application of the parties' Agreement, as amended, to situations where certain functions of work were shared with employees of other Crafts over an extended period of time, the situation here. Award 29612 denied the Organization's claim. We do not find that decision to be in palpable error. It will be followed here.

Form 1  
Page 2

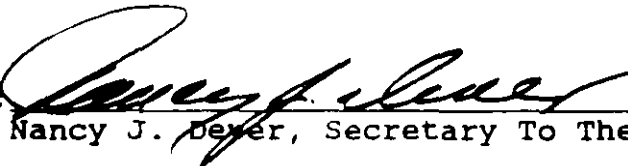
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A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dwyer, Secretary To The Board

Dated at Chicago, Illinois, this 16th day of July 1993.