

NATIONAL RAILROAD ADJUSTMENT BOARD
Third Division

PARTIES TO DISPUTE:

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT
HANDLERS, EXPRESS AND STATION EMPLOYEES**
KANSAS CITY TERMINAL RAILWAY COMPANY

DISPUTE.—Request of the employees that the positions of Mail Conveyor Operators, Mail and Baggage Department, Union Station, Kansas City, Missouri, created September 23, 1933, be bulletined and assigned under the provisions of the agreement between the parties to employees holding seniority thereunder; that the employees so assigned be compensated for any difference in rates accruing subsequent to April 5, 1934.

FINDINGS.—The Third division of the Adjustment Board, upon the whole record and all the evidence, finds 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.

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

The parties to said dispute were given due notice of hearing thereon.

The proceeding in this case is had in behalf of certain employees of the carrier included within the scope of an existing agreement between the parties bearing the effective date of March 1, 1924, from which agreement Rules 1 and 5 (a) are cited by the parties and quoted as follows:

"RULE 1. These rules shall govern the hours of service and working conditions of employees in the following departments and classes:

" UNION STATION BAGGAGE AND MAIL DEPARTMENTS

"Class One: Asst. Foremen, Mail Dispatchers.

"Class Two: Parcel Checkmen, Baggage Sorters, Counter Checkmen, Exchange Checkmen, Receiving Men, Delivery Men.

"Class Three: Mail Handlers, Baggage Handlers."

"RULE 5 (a). New positions created or vacancies occurring in Class 1 and 2 positions in baggage and mail seniority department and Class 1 positions in all other seniority departments will be promptly bulletined in agreed-upon places accessible to all employees affected, for a period of five (5) days in the departments where they occur; bulletin to show location, description of position, title, hours of service and rate to pay. Employees desiring such positions will file their application with the designated official within that time, and an assignment will be made within five (5) days thereafter; the name of the successful applicant will, immediately thereafter, be posted for a period of five (5) days where the position was bulletined. * * *"

It is found that the inter-station transportation of U. S. Mail of the Kansas City Terminal property was, prior to installation of an electrically driven belt conveyor system operated by "mail conveyor operators", so-called, performed by employees coming within the scope of agreement cited.

AWARD

The positions of Mail Conveyor Operator shall be considered vacant as of February 15, 1935, and thereupon filled in accordance with the terms of existing agreement between the parties. The particular classification of Mail Conveyor Operators under Rule 1 shall be established by negotiation between the parties.

In event application of the foregoing part of this Award shall cause displacement of any one or more of present incumbents from the said positions,

such displaced employees shall retain all of their accumulated seniority continuously computed to date of such displacement and reinstated in the seniority district or department from which they came when accepting assignment to position of Mail Conveyor Operator.

Claim for adjusted compensation is denied.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,
Secretary.

Dated at Chicago, Illinois, this 31st day of January 1935.