

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Frank M. Swacker, Referee

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP  
CLERKS, FREIGHT HANDLERS, EXPRESS  
AND STATION EMPLOYES**

**THE CHICAGO, ROCK ISLAND & GULF  
RAILWAY COMPANY**

(Frank O. Lowden, James E. Gorman, Joseph B. Fleming, Trustees)

**STATEMENT OF CLAIM:** "Claim for adjustment in rate of pay of stenographer, office of General Superintendent, Fort Worth, Texas, from \$127 per month to \$142 per month, effective July 10, 1936."

**EMPLOYES' STATEMENT OF FACTS:** "On May 1, 1936, position of Trainmaster's Clerk, rate \$142 per month, at Fort Worth, Texas, was discontinued, and the position of Trainmaster was also discontinued.

"Effective July 1, 1936, the territory under the jurisdiction of the General Superintendent located at Fort Worth, Texas, was increased over 500 miles and the position of Trainmaster reinstated, with headquarters at Fort Worth in the office of the General Superintendent.

"On July 10, 1936, position of Stenographer, rate \$127, was put on in the office of General Superintendent. The position was advertised as vacant July 15, 1936.

"With the exception of the handling of crews, the work formerly on the position of Trainmaster's Clerk, rate \$142, was assigned to the position of Stenographer, rate \$127."

There is in evidence an agreement between the parties bearing effective date of January 1, 1931, from which the following rules thereof read:

**RULE 66. RATING POSITIONS.** Positions (not employes) shall be rated and the transfer of rates from one position to another shall not be permitted. Established rates of pay shall not be reduced, except there be a substantial decrease in the duties and responsibilities of a position, in which case the rate for such substantially changed position will be promptly adjusted, with the committee, to conform to the rates paid to analogous positions of similar kind and class in comparable localities.

**RULE 68. NEW POSITIONS.** The salaries for new positions will be in conformity with the salaries of analogous positions (of similar kind and class) in comparable localities.

**RULE 69. ADJUSTMENT OF RATES.** When there is a sufficient increase or decrease in the duties and responsibilities of a position or change in the character of the service required, the compensation for that position will be properly adjusted, but established positions will

ADVERTISEMENT	POSITION	RATE	ASSIGNMENT
Ft. Worth, Texas	Steno-Clerk	\$127	8 A.M.—12 Noon
Gen. Supt.	(Permanent)		1 P.M.— 5 P.M.
Office			Daily except Sunday

Following requirements necessary: Must be first-class stenographer, must handle files, personal records and group insurance matters. Investigations conducted by division staff officers must be taken down in shorthand, transcribed on typewriter, and when investigations held away from Ft. Worth, must accompany officers out on line where investigations held.

"It will be noted that certain qualifications were to be demanded of the successful applicant, and one requirement was with respect to investigations which might be held away from Ft. Worth, necessitating accompanying officers out on the line where investigations were held. It was desired that a man should be secured for this position, but when no applications were received from men it was assigned to a Miss Ruth Foster and Miss Ruth Foster is not required to perform some of the duties called for under Bulletin No. 11, i. e., take investigations either in Ft. Worth or on the road, such work being handled by the superintendent's secretary, who is a man. Neither does Miss Ruth Foster perform other than emergency stenographic service for the trainmaster, all of her work being in connection with handling dictation for the division engineer, maintenance clerk, occasionally for the chief clerk, and she also files personal records. The trainmaster's dictation is taken care of Miss Mabel Foster, who is on the stenographic position paying \$142 per month.

"Therefore, the situation as it has existed since July 1, 1936, is that there are two stenographers in the superintendent's office, one at the rate of \$142 per month, the other at the rate of \$127 per month, and the only difference between this force and that in effect prior to April 1, 1936, is that title of the \$142 position is now a stenographer, whereas it was formerly trainmaster's clerk.

"There is no need for reestablishing position of trainmaster's clerk at Ft. Worth. Nor is there any justification for increasing the rate of the \$127 stenographer to \$142 because that position is not being required to perform, except in emergency cases, any of the work formerly handled by the \$142 trainmaster's clerk."

**OPINION OF BOARD:** The evidence does not sustain the contention that the position of stenographer in office of General Superintendent, Fort Worth, established July 10, 1936, is relatively the same as the position of trainmaster's clerk which had been abolished April 30, 1936.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

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 evidence fails to sustain the claim.

#### AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 24th day of March, 1938.