

NATIONAL RAILROAD ADJUSTMENT BOARD**THIRD DIVISION****John H. Dorsey, Referee**

PARTIES TO DISPUTE:**TRANSPORTATION-COMMUNICATION EMPLOYEES UNION
(Formerly The Order of Railroad Telegraphers)****CHICAGO, BURLINGTON & QUINCY
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Chicago, Burlington and Quincy Railroad, that:

1. Carrier violated and continues to violate the Agreement between the parties when beginning on September 3, 1957 and on each day thereafter it transferred the work of the Agent position at Onalaska, Wisconsin, a one-man station, to employees not covered by the Agreement at La Crosse, Wisconsin.

2. Carrier shall be required to restore this work to the Agent at Onalaska, Wisconsin.

EMPLOYEES' STATEMENT OF FACTS: The agreements between the parties are available to your Board and are by this reference made a part hereof.

Onalaska, Wisconsin, is a station on this Carrier's lines about five miles north of La Crosse, Wisconsin. It is a one-man station with one position of Agent under the Telegraphers' Agreement. At the time cause for this claim arose R. F. Paul was the regularly assigned incumbent of the position.

On September 3, 1957, a traveling auditor came into the station at Onalaska and closed out all inbound and outbound accounts on both freight and passenger business at that station. This removed all the work of accepting freight shipments, issuing bills of lading and way billing the shipments; it also removed all the work of handling inbound freight business, expensing the way bills and delivering the freight. In addition, all accounting related to this handling was removed. This work was transferred to employees working in the freight house at La Crosse, Wisconsin, employees not covered by the Telegraphers' Agreement and under the supervision of the freight Agent at La Crosse, also not covered by the Agreement. This removal and transfer of the Onalaska agency work to La Crosse makes it necessary for patrons of the Carrier, formerly served by the Onalaska agency, to transport their outbound LCL shipments to La Crosse and take the bills of lading for carload shipments to La Crosse. Likewise inbound shipments are handled at La Crosse and

Hardwood, Inc., billed the majority of their cars had representatives located in LaCrosse, and these consignees requested that their representatives be permitted to handle billing at LaCrosse rather than Onalaska. In compliance with these requests from shippers and consignees, Carrier transferred the billing and accounting from Onalaska to LaCrosse freight station, effective September 3, 1957.

As stated previously, Onalaska was continued as a non-telegraph agency with the same agent working this regular assignment and being paid his agreed-upon rate of pay subsequent to September 3, 1957 until the station was closed on November 14, 1958 in conformity with Order issued by the Public Service Commission of Wisconsin. As of the date of this writing, therefore, Onalaska is a closed station.

The schedule of rules agreement between the parties, effective May 1, 1953, and amendments hereto including the August 21, 1954 Agreement, are by reference made a part of this submission.

(Exhibits not reproduced.)

OPINION OF BOARD: This docket is a companion case of Award 14322 which developed from the same factual background.

On September 3, 1957 Carrier transferred the billing and accounting work from Onalaska to employes at La Crosse Freight Station, members of the Clerks' Organization.

On November 15, 1958 the Agent's position at Onalaska was abolished. Since it was a one-man agency, this Claim requesting restoration of the work to the Agent at Onalaska, therefore, is moot.

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 Employes involved in this dispute are respectively Carrier and Employes 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 Claim is moot.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 20th day of April 1966.

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