



Award No. 19157

Docket No. CL-15981

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Clement P. Cull, Referee

PARTIES TO DISPUTE:

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

**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC
RAILROAD COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (GL-5902) that:

1. Carrier's assignment of clerical station work at Tama, Iowa violated, and continues to violate, the provisions of the Agreement between the parties dated April 19, 1969, which is known as the "One-man Station Agreement."

2. Carrier shall restore the work of Station Clerk Position No. 2761 as it existed prior to the abolishment of that position effective August 25, 1964 to the scope and application of the Clerks' Agreement and the employees covered thereby.

3. Carrier shall be required to compensate employee R. Teasdale the regular occupant of Station Helper Position 2786 at Madrid, Iowa, his successor or successors, for eight (8) hours at the Station Clerk rate of pay for each Monday through Friday from December 28, 1964 through January 15, 1965; and for each Friday through Tuesday thereafter until the violation is corrected and the work restored to the scope and application of the Clerks' Agreement and the employees covered thereby; such compensation to be in addition to any other compensation earned on those claim dates.

4. Carrier shall compensate employee G. O. Keene, the regular occupant of Relief Position No. 4, his successor or successors, for eight (8) hours at Station Clerk rate of pay for each Saturday and Sunday from January 2 through January 17, 1965 and for each Wednesday and Thursday from January 20th until the violation is corrected by restoration of the work to the scope and application of the Clerks' Agreement and the employees covered thereby; such compensation to be in addition to any other compensation earned on those claim dates.

EMPLOYEES' STATEMENT OF FACTS: Prior to August 25, 1964 Carrier maintained a position of Station Clerk at Tama, Iowa identified as Position 2761. The duties of Position 2761 consisted of yard checks of public and

Yours very truly

Original Signed by
G. J. Barry

cc - Mr. H. W. Gilligan
Mr. S. W. Amour"

Position No. 2761 at Tama was, in accordance with the provisions of the "One Man Station Agreement" (Carrier's Exhibit "A") and the currently effective Clerks' Agreement, abolished effective August 25, 1964 with all the remaining duties thereof being assigned to the Agent at Tama except for the duty of handling mail and baggage off Trains #19 and 20 which was assigned to Station Helper Position No. 2786 at Madrid, Iowa, which is in the same seniority district as Tama, i.e., Seniority District No. 33, the occupant of Position No. 2786 riding Train #20 from Madrid to Tama (65 miles) sorting and loading mail and returning to Madrid on Train #19.

There is attached as Carrier's Exhibit "B" copy of letter written by Mr. S. W. Amour, Assistant to Vice President, to Mr. H. C. Hopper, Acting General Chairman, under date of June 3, 1965.

(Exhibits not reproduced.)

OPINION OF BOARD: This claim involves the abolishment of the Clerk's position at Tama, Iowa effective August 25, 1964 and the transfer of his duties to the Agent at the station under the Memorandum of Agreement of April 19, 1960, referred to as the "One-man Station Agreement." The claim alleges that the performance of some work formerly done by the Clerk herein by another Clerk in the same seniority district at a station 65 miles away violates the One-man Station Agreement. This work involves the handling of mail from two trains.

We have considered the Memorandum of Agreement and find that the assignment of the work herein was substantially consistent with the provisions of that agreement. Accordingly, we shall deny the claim.

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 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 Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 28th day of April 1972.

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