

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19214  
Docket Number CL-15432

William M. Edgett, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway and Steamship Clerks,  
(Freight Handlers, Express and Station Employees  
(  
(Chicago, Burlington & Quincy Railroad Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood (CL-5748)  
that:

(1) The Carrier violated the Clerks' Rules Agreement, particularly Rules 1 and 25, beginning on April 13, 1964 and continuing thereafter, when the Relay Operator (telegrapher) on duty 4:00 p.m. to 12:00 midnight, was required to assist the Clerks to work the head-end of train No. 35 at Brookfield, Missouri; and the Relay Operator on duty 12:00 midnight to 8:00 a.m. was required to assist the Clerks on duty with the head-end work on passenger train No. 55.

(2) That C. W. Amen, extra clerk and/or his successor(s) on the extra list, be compensated for a three hour call on both the second and third trick each day beginning April 13, 1964 and each day thereafter until the violation is corrected. On the days that Mr. Amen was unavailable due to working other positions, the senior employee on his rest day at the facility is to be compensated for the calls.

OPINION OF BOARD: This is a companion case to that contained in Award 19213 such identical dispute arising at Brookfield, Missouri where a telegrapher was permitted to assist a clerk in "head end" work on passenger trains Nos. 35 and 55.

We will follow Award 13823 (Referee Dorsey) and Award 19213 and 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;

Award Number 19214  
Docket Number CL-15432

Page 2

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

E. A. Killen  
Executive Secretary

Dated at Chicago, Illinois, this 25th day of May 1972.