

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19468

Docket Number TD-18779

William M. Edgett, Referee

PARTIES TO DISPUTE: (American Train Dispatchers Association
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(St. Louis-San Francisco Railway Company

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that:

(a) The St. Louis-San Francisco Railway Company, hereinafter referred to as "the Carrier", violated, and continues to violate the effective Agreement between the parties, Article 1 thereof in particular, when, beginning December 4, 1968, it required and permits other than those within the scope of said Agreement to perform work covered thereby.

(b) The Carrier shall compensate the senior available extra train dispatcher one day's compensation at pro rata daily rate applicable to Assistant Chief Dispatcher for each of the three tricks in a twenty-four (24) hour period for each District, beginning December 8, 1968, and continuing for five (5) days of each week, and at time and one-half at said rate for service required to be performed on the sixth and seventh consecutive days of each week, until said violation ceases.

(c) In the event no extra train dispatchers are available on any day or days during the period in which said violation continues, then and in such event Carrier shall compensate the senior assigned train dispatcher then available because of observance of his assigned weekly rest days, one day's compensation at time and one-half of daily rate applicable to Assistant Chief Dispatcher for each of such days until the said violation ceases.

(d) The respective individual claimants entitled to compensation herein claimed shall be determined by a joint check of the Carrier's records.

OPINION OF BOARD: On December 4, 1968 Carrier discontinued the preparation of the 87 Report, which had been compiled by Train Dispatchers from the Train Sheet kept by each dispatcher. In place of this report Carrier substituted a Train Performance Report which is automatically printed out by computer. At issue here is that portion of the Train Performance Report which lists delays. The Organization concedes that except for the delays the new report can be automatically prepared by Carrier's computer center.

The 87 Report had been compiled from information telegraphed to the Springfield dispatching office. The dispatchers kept, and still keep, a Train Sheet which lists all of the information required to complete either of the reports with which we are concerned. Carrier's new data system re-

quires various classes of employee to report information directly to the computer center. Delays are reported from crew change points and from intermediate tie up points. The Organization alleges that this information must be "prepared" before it is reported. The record does not show that the reporting of delays by telegraphers requires them to perform any work which was formerly done by Train Dispatchers. What is at issue here is the compilation of a report from data received at Springfield. This is what the dispatchers did. They allege that someone else is now doing that work in violation of their agreement. However, the record clearly shows that the compilation of the data is performed by computer. We are not dealing with a case in which one class of employee now performs work which formerly was done by Claimants. We are dealing with a situation in which data processing equipment performs work which formerly was done manually. There has been no violation of the Agreement and the claim must be denied.

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 Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:


Executive Secretary

Dated at Chicago, Illinois, this 30th day of October 1972.