

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21638  
Docket Number CL-21446

Robert W. Smedley, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station Employees  
(  
(Southeastern Demurrage and Storage Bureau

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-7980) that:

(a) The Bureau has and continues to violate the Clerks' Agreement when they established a new position of "Demurrage Clerk" at Plant City, Florida on October 1, 1974 without bulletining this position as provided for in the existing Rules Agreement.

(b) That the Bureau shall now be required to bulletin this position as a new position and compensate Claimant G. M. Riley for each of his regularly assigned days commencing October 1, 1974 and continuing until the above position is bulletined at his basic rate of pay at the pro rata rate in addition to any compensation he has already received.

OPINION OF BOARD: The record before the Board shows that effective November 1, 1966, the Southeastern Demurrage and Storage Bureau took over the complete maintenance of demurrage records for the Seaboard Air Line Railroad at Plant City, Florida. At that time the demurrage work was assigned to demurrage position located at Mulberry, Florida.

Effective March 12, 1973, the Seaboard Coast Line Railroad notified the Demurrage and Storage Bureau that the services of the Bureau would no longer be required at Plant City. On or about October 1, 1974, the Seaboard Coast Line Railroad again requested that the demurrage work at Plant City be performed by the Demurrage Bureau. The demurrage work was again assigned by the Demurrage Bureau to the demurrage position located at Mulberry, Florida.

The Petitioner contends that when the Demurrage Bureau resumed the demurrage work at Plant City on October 1, 1974, a "Demurrage Clerk" position should have been bulletined at that location.

We have reviewed the record carefully and find no rule or established practice to support the contention of the Petitioner. The claim will, therefore, be denied.

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 Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: A. W. Paulus  
Executive Secretary

Dated at Chicago, Illinois, this 29th day of July 1977.

