

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22057
Docket Number CL-21827

James F. Searce, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline & Steamship
(Clerks, Freight Handlers, Express and
(Station Employees
(
(Chicago and North Western Transportation
(Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
GL-8277, that:

1. Carrier violated the Agreement Rules, particularly Rule 1 (Scope), when it contracted with an outside firm, Railroad Traffic Service Company at Greenville, Pennsylvania, to audit the intraline waybills and prepare and issue corrected freight bills to patrons in connection with errors developed as a result of the audit, and;

2. Carrier shall compensate Head Typist Grace A. Apida and Stenographer Lillian E. Moss for 91½ hours each at their regular assigned rates on a punitive basis account of such violation because they were available to perform the service outside of their regular assigned hours.

OPINION OF BOARD: The circumstances and events of this claim are commingled with those in Third Division Docket Number CL-21743, which was disposed of by the Board in Award Number 21852. The claims represented in this case are directly related to that matter; we would err by not taking cognizance of the rationale applied therein. In Award 21852, the Board found the Carrier violated the Scope Rule by contracting out audit work properly under the jurisdiction of the Organization. Here companion clerical work to such audit functions is being claimed.

We find nothing palpably erroneous in Award 21852 and we shall apply the same rationale here.

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

The Agreement was violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 12th day of May 1978.

