

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22210  
Docket Number CL-22012

George S. Roukis, Referee

(Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( Express and Station Employees  
PARTIES TO DISPUTE: (  
(Seaboard Coast Line Railroad Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
GL-8323, that:

"(1) Carrier violated Rule 1 of the current Agreement(s) September 19, 20, 25, October 8 and 9, 1975, at various times when it permitted and required Switch Foremen, employees not covered by the Agreement and holding no seniority thereunder, Savannah, Georgia, to bleed the air off cuts and trains in Southover Yard.

(2) Carrier shall be required to compensate Clerk Jessie Keith, Jr. one (1) day's pay, eight (8) hours at one and one-half times the pro rata rate of position assigned September 19, 20, 25, October 8 and 9, 1975, for the violation set forth above."

OPINION OF BOARD: In this case, the Scope rule of the Clerks' Agreement does not specifically require Carrier to use clerks only to bleed air. There is no evidence of an institutionalized past practice. In fact, the Scope rule and its attendant interpretations were carried forward from the rule's original incorporation in the predecessor agreement of the Atlantic Coast Line Railroad Company and rendered applicable to the Seaboard Coast Line Railroad Company.

Moreover, given the nature of the work force deployment practices herein, we cannot disregard the precedential authority of the numerous National Railroad Adjustment Board Divisions' decisions which have disposed of this type of issue. Particular attention is directed toward Third Division Award 7113, where we held in pertinent part that,

"Every Division of this Board has held that the work of bleeding cars belongs to no particular craft, but may be done by members of any group as incidental to their regular work."

We find nothing in the record to indicate a contrawise situation here. Accordingly, we must 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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A.W. Pauler  
Executive Secretary

Dated at Chicago, Illinois, this 31st day of October 1978.

