

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22282  
Docket Number CL-22116

Rolf Valtin, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( Express and Station Employes  
(  
(Southern Pacific Transportation Company  
( (Pacific Lines)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-8371) that:

(a) The Southern Pacific Company (now the Southern Pacific Transportation Company) violated the Clerks' Agreement extant when it arbitrarily required Train Timekeeper Flora Fambrini to trade positions and duties with Maintenance of Way Timekeeper Alice Danielson; and,

(b) The Southern Pacific Transportation Company shall now be required to allow Flora Fambrini eight (8) hours additional compensation at Timekeeper's rate of pay February 7, 1968 and each date thereafter until she is placed back on her position as Train Timekeeper.

OPINION OF BOARD: As revealed in the Statement of Claim, this case originated more than ten years ago. Claimant was one of some seventy Timekeepers in the Carrier's Payroll Department at its San Francisco General Headquarters. All of the Timekeeper posts were bulletined as 5-day posts, had the same work days, hours, and meal periods, and were of identical rates of pay. In early 1968, the Carrier rearranged the duties in four of the posts for efficiency purposes. The claimant held one of the four posts. The rearrangement in her case resulted in the substitution of certain maintenance-of-way audits for certain train audits.

The claimant's additional-compensation request is based on alleged violations of certain Rules (Nos. 26, 27, 28 and 33) under the then-current Agreement. We have examined these Rules in relation to the underlying facts. We see nothing in them which would have barred the duty rearrangements. We find the claim ill-founded.

Additionally presented in the case is the Organization's contention that the Manager of Payroll and Miscellaneous Services denied the claim in a manner which violated the claimant's rights under a certain portion of the 1954 National Agreement. We reject this contention as well. Though brief, the Manager's letter was within the pertinent requirements (as discussed and held in a series of Third Division Awards).

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. Pauls  
Executive Secretary

Dated at Chicago, Illinois, this 12th day of January 1979.