

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

PARTIES TO DISPUTE: (Cheri Anderson
(Soo Line Railroad Company

STATEMENT OF CLAIM: "Claim of Cheri Anderson
Clerk Typist Steno - Seniority District #2
Soo Line Railroad

- 1) Carrier violated Rule 51 of the July 1, 1985 TCU Agreement when adding additional duties and responsibilities to Position No. 13107, Clerk Typist Steno from abolished Position No. 13006, Personal Steno held by Mavis Punt.
- 2) Claimant Cheri Anderson shall now be compensated at a rate equivalent to Position No. 13006 to reflect the additional duties and responsibilities from the period January, 1988 and continuing."

FINDINGS:

The Third Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

At the time of the incident that gave rise to this case, Claimant was employed by Carrier in the Minneapolis General Office in the Revenue and Accounting Department. On January 6, 1988, a Personnel Steno in the office was reassigned. Some of the duties performed by the Steno who was reassigned were transferred to Claimant. As a result of these increased duties, Claimant felt that her pay should be adjusted under Rule 51:

"RULE 51

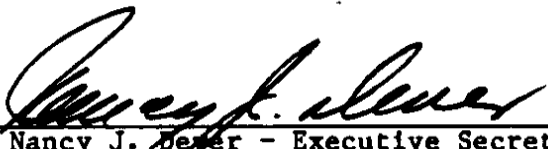
When there is a sufficient increase or decrease in the duties and responsibilities of a position or change in the character of the service required, the compensation for such position will be subject to adjustment by mutual agreement with the duly accredited representative, but established positions will not be discontinued and new ones created under the same or different titles covering relatively the same class or grade of work, which will have the effect of reducing the rate of pay or evading the application of these rules."

This Board has reviewed the total record of the case and has considered the procedural arguments as well as the arguments on the merits. We are compelled to conclude from this review that the Claim should be disposed of on the merits. We cannot conclude from the information contained in the record that a rate adjustment under Rule 51 is supportable. We therefore deny the Claim.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: 
Nancy J. Decker - Executive Secretary

Dated at Chicago, Illinois, this 30th day of April 1991.