

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISIONAward No. 30036  
Docket No. CL-29836  
94-3-91-3-214

The Third Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

(Transportation Communications International Union)  
PARTIES TO DISPUTE: (  
(CSX Transportation, Inc. (former Louisville & Nashville Railroad Company)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood (GL-10567) that:

1. Carrier is in violation of the Clerical Agreement at Birmingham, Alabama on August 18, 1989, by requiring and/or permitting Yardmaster J. R. Roberts at the Bowl Yard to run record and line up cars for switchmen to switch at Bowl Yard.
2. Claimant, Senior Clerk Available, extra clerk in preference, shall now be compensated eight (8) hours' pay at the rate of Utility PICL Clerk No. 106 for August 18, 1989, in addition to any other pay this Claimant may have already received for this date. Return this work to the clerical employees covered by this Agreement."

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 employe 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.

As Third Party in Interest, the United Transportation Union, was advised of the pendency of this dispute, but did not file a Submission with the Board.

At Boyle's Yard, Birmingham, Alabama, on August 18, 1989, a yard crew called a Yardmaster to advise him of an extra car in a cut of cars pulled from the Classification Yard. The Organization states that the Yardmaster pulled the record of the car by use of a computer terminal and then advised the Foreman as to disposition of the car. The Organization argues that the information should have been provided to the PICL Clerk to take the necessary action with the Foreman.

Much of the argument provided to the Board concerns the Yardmaster's utilization of the computer. It is the responsibility of the PICL Clerk to set the disposition as raw information into the computer of cars and their destination, however, this is not the issue, since the Organization concedes that it "takes no exception to Yardmasters searching car records via the CRT." The Organization has not demonstrated that the Yardmaster's utilization of the information which he properly retrieved from the computer constitutes a Rule violation.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest: Catherine Loughrin  
Catherine Loughrin, Interim Secretary to the Board

Dated at Chicago, Illinois, this 17th day of February 1994.