

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 31850
Docket No. CL-32308
97-3-95-3-140**

The Third Division consisted of the regular members and in addition Referee Edwin H. Benn when award was rendered.

PARTIES TO DISPUTE: (
(Transportation Communications International Union
(The Chicago, Central and Pacific Railroad Company

STATEMENT OF CLAIM:

**“Claim of the District Chairperson of the Organization (File No. 154-CCP)
that:**

(1) The Chicago, Central and Pacific Railroad Company violated the Clerk's Agreement, specifically, SCOPE; Rule 2, Rates of Pay; Rule 4, Rates of Positions and Appendix 2, Pay Class among other rules of the Clerk's Agreement when Carrier improperly classified OIS Operator Positions in Waterloo, Iowa at a Class II rate of pay and vastly increased the duties and responsibilities of the OIS Operator Positions without any rate increase.

(2) Chicago, Central and Pacific Railroad Company shall now be required to compensate Claimants, inclusively all OIS Operators in Waterloo, Iowa at a Class IV rate of pay beginning January 14, 1994 and continuing each work day thereafter.”

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

The Carrier centralized certain operations into Waterloo, Iowa. The dispute in this case concerns the assertion that OIS Operator positions at Waterloo should be Class IV (Technical Skills Labor - A) and not Class II (Semi-Skilled Labor - A).

The record does not sufficiently show that the higher rated Class IV duties have been added to the Class II duties at Waterloo. See Third Division Award 31611.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 4th day of March 1997.