

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 544

Heard at Montreal, Tuesday, May 11th, 1976

Concerning

CANADIAN NATIONAL RAILWAY COMPANY

and

BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS, FREIGHT
HANDLERS, EXPRESS AND STATION EMPLOYEES

DISPUTE:

The Brotherhood claims that the Rate Clerk's position, St. John's, Nfld. (incumbent - F. Skiffington) should be reclassified to Chief Rate Clerk.

JOINT STATEMENT OF ISSUE:

The Brotherhood claims that the Rate Clerk's position, St. John's Nfld. should be reclassified to Chief Rate Clerk. The Company has denied the request and claimed that the changes in the position are not significant enough in order to warrant an upgrading in the classification.

The grievance is progressed under Article 18.8.

FOR THE EMPLOYEE:

(Sgd.) E. E. Thoms
General Chairman

FOR THE COMPANY:

(Sgd.) S. T. Cooke
Assistant Vice-President
Labour Relations

There appeared on behalf of the Company:

A. D. Andrew	System Labour Relations Officer, C.N.R. Montreal
A. Lacey	Terminal Traffic Manager, C.N.R., St. John's, Nfld.
H. S. Peet	Employee Relations Officer, C.N.R., St. John's, Nfld.
N. B. Price	Labour Relations Assistant, C.N.R., Moncton, N.B.

And on behalf of the Brotherhood:

E. E. Thoms	General Chairman, B.R.A.C., Freshwater, P.B., Nfld.
M. J. Walsh	Local Chairman, B.R.A.C., St. John's, Nfld.
T. F. Snow	" Lewisport, Nfld.

AWARD OF THE ARBITRATOR

Article 18.8 provides as follows:

"18.8 No changes shall be made in agreed basic rates of pay for individual positions unless warranted by changed conditions resulting in changes in the character of the duties or responsibilities. When changes in basic rates of pay are proposed, the work of the positions affected will be reviewed and compared with the duties and responsibilities of comparable positions by the proper officer of the Company and the General Chairman, with the object of reaching agreement on revised rates to maintain uniformity for positions on which the duties and responsibilities are relatively the same."

The job of Rate Clerk has been established at the "F" level, and carries a rate of \$215.86. It is said that the position in question has changed in its duties and responsibilities so that it is the equivalent of the Job of Chief Rate Clerk, which is established at the "H" level, and carries a rate of \$230.83.

It seems clear that there have been, in recent years, certain changes in the actual content of the job of Rate Clerk. In 1973 it was described in a job bulletin as follows:

"Rating and waybilling express and L.C.L. traffic. Other duties as assigned by T.T.M.".

In 1974 the job was described in another bulletin as follows:

"Quoting Express and L.C.L. Traffic. Assorts waybills. Answer telephone re customer enquiries re rates. Scrutinizes contracts for errors in weights, destinations, cubic measurements. Advises Inward Shed of correct rates on Inward Sub Waybills. Checks on Hand Points for correct rates. Co-operates with customer relations and Quality Control re special data. Files tariffs. Other duties as assigned by Terminal Traffic Manager."

It is said that since that bulletin was issued, the following additional duties have been added.

"Quoting rates any station in Canada to any station in Canada. Advising customers regarding container movements best means of packaging the wisest way for companies and individuals to ship in order to save them money and protect them should there be a claim. Quotes rates directly to Board of Trade. Advises motormen of proper description of goods on merchandise receipts to determine correct rate. Works with customer relations and quality control and advises them of any changes in shipper's ways and means of shipping. Advises inward shed of correct inward rates."

The descriptions which may be set forth on job bulletins are not necessarily accurate for purposes of comparison of Job classifications. In 1975, as a result of the Union's request for reclassification of this Rate Clerk Job, the Company reviewed the job, and concluded that the main tasks were as follows:

- Rates all express and L.C.L. outward bills.
- Answers telephone re customer enquiries re rates.
- Scrutinizes contracts for errors in Weights, destinations, cubic measurement.

The Job of Chief Rate Clerk was analyzed as follows:

- Rating forwarded carload waybills.
- Checking rates on received carload waybills.

The Company's position is that the major difference between the two jobs is that the Rate Clerk is concerned with express and L.C.L. traffic, mostly domestic in nature, whereas the Chief Rate Clerk is concerned with carload lots, involving a much more complex tariff structure, and traffic which may be international as well as domestic. This is significantly different work.

The changes which appear to have occurred in the Rate Clerk's job do not impinge to any great extent on the work of the Chief Rate Clerk. It has not been shown, then, that the job should be upgraded by two levels. There have, nevertheless, been changes, and it would appear that among these is the requirement of quoting other than domestic rates. There might, then, be justification for a reclassification of the Job in question, although not by as much as two levels. I was not referred to any other classifications with which a significant comparison might be made, and the issue in this case was simply whether this particular Rate Clerk position should be reclassified as one of Chief Rate Clerk. I do not, therefore, come to any conclusion as to what might be the correct classification for the job in question other than to say that it is not that of Chief Rate Clerk.

For the foregoing reasons, the grievance is dismissed.

J.F.W. WEATHERILL
ARBITRATOR