

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES)
TO)
DISPUTE)
Brotherhood of Railway, Airline and Steamship Clerks,
Freight Handlers, Express and Station Employees
and
Erie Lackawanna Railroad Company

QUESTIONS

- AT ISSUE:
- (1) Did those certain changes which the Carrier made in its procedures which resulted in elimination of work in the New York Terminal Station Accounting Bureau, Hoboken, N. J. (Seniority District No. 9) and performance of such work in the Agents' Offices at Dock 8, New York City (Harlem Station and Transfer); 28th Street and Pier 68, N. R., New York; Piers 20-21, N. R., New York; Hoboken Local, N. J.; Croxton Piggyback Yard; Brooklyn (N.Y.) Contract Terminal and Port Newark, N. J. (Seniority District No. 14) effective March 1, 1965 require negotiation and agreement as contemplated by Article III of the February 7, 1965 National Agreement and Interpretations dated November 24, 1965?
 - (2) Shall the Carrier be required to give proper notice and negotiate an appropriate Implementing Agreement to provide for:
 - (a) Transfer of work from the New York Terminal Station Accounting Bureau, Hoboken, N. J. (Seniority District No. 9) to various Agents' Offices in the New York Harbor Area (Seniority District No. 14-A)?
 - (b) The duties and work requirements of positions involved?
 - (c) The rates of pay?
 - (3) Shall the Carrier be required to compensate each and every employe involved in or affected by the changes instituted in the New York Terminal Station Accounting Bureau and in the various Agents' Offices in the New York Harbor area effective March 1, 1965, the wage losses they have suffered on and after March 1, 1965 and accord each and every employe the full allowances and benefits prescribed in the February 7, 1965 Agreement?

OPINION OF BOARD: Effective March 1, 1965, twelve second trick positions in the New York Terminal Station Accounting Bureau were rescheduled to work the first trick which resulted in the abolishment on March 3, 1965 of the positions of two rate clerks, one typist-biller and a messenger.

These abolishments resulted from a change in procedure concerning the handling of car movements (non-revenue) memo waybills. Prior to March 1, 1965 the station forces at Dock 8, 28th Street; Piers 20, 21 and 68, North River, New York City; Hoboken Freight, Hoboken, N. J. prepared a card bill and pouches showing the train that the car was to move in, car number and initials, date, point from, destination and routing. The bills of lading covering the car were picked up by messengers and taken to the New York Terminal Station Accounting Bureau for preparation of the revenue waybill. Under certain conditions, a memo (non-revenue) waybill would be prepared to allow the cars to move and the revenue waybill would be mailed to the destination agent and others.

Subsequent to March 1, 1965, the preparation of card bills by local agencies was discontinued and a three part non-revenue or memo waybill was prepared by the agency office and by the same employees. The data on the memo waybill contained the car number and initial, date, point from, destination, routing and any necessary special instructions, which is the same information that the agency forces placed on the card bills and pouches. As a result of this change all cars moved to destination on non-revenue memo bills which reduced delays to shipments awaiting revenue waybills. There was no increase in the work performed by station forces and no decrease in the amount of revenue billing work performed by the employees in the New York Terminal Station Accounting Bureau.

The employees contended that the foregoing constituted a transfer of work from the New York Terminal Station Accounting Bureau, Hoboken, New Jersey to various Agents' offices in the New York Harbor area.

A claim involving these same changes was filed by the employees with the Third Division, National Railroad Adjustment Board (Docket No. CL-17195), the employees contending that the changes constituted a transfer of work from one seniority district to another which required negotiations and agreement with the organization. However, in Award No. 16730, the Third Division found that what was done did not constitute a transfer of work across seniority district lines.

On the basis of the Award of the Third Division this claim should be denied.

AWARD

The answer to Questions Nos. (1), (2) and (3) is "No."

CARRIER MEMBERS

J. A. Brown
M. E. Parks

EMPLOYEE MEMBERS

G. E. Leighty
C. L. [unclear]

Washington, D. C. - January 24, 1969