

AWARD NO. 289
Case No. TCU-92-W

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
TO THE) and
DISPUTE) TRANSPORTATION-COMMUNICATION EMPLOYEES UNION

QUESTIONS

- AT ISSUE:
1. Did Carrier violate Article III when it, without first following the procedure set forth in Sections 2 and 3 of said Article III, reclassified the position of agent at Snyder, Texas to agent-telegrapher effective at the close of business August 22, 1967 and coincident therewith moved the agent-telegrapher from the freight station to the passenger station, and also coincident therewith abolished the first shift telegrapher-clerk position in the passenger station at Snyder?
 2. Due to his position being abolished, Mr. R. Richter, in order to retain his status as a protected employee, was forced to displace on a position requiring a change of residence. Did Carrier violate Article III, Section 1, when it refused to allow him all moving expenses and five (5) working days' pay in making the transfer to his new position?

OPINION

OF BOARD: The Organization withdrew Question No. 1.

With respect to the second Question, the evidence indicates that a decline in business led to the abolition of a position. Coincidentally, Carrier established the work location for all employees at a renovated passenger station. Previously, the Agent had worked in the freight station. The two locations were within 600 feet of one another at Snyder, Texas.

AWARD NO. 289
Case No. TCU-92-W

A diminution in business, leading to the abolishment of a position, comes squarely within the ambit of Award No. 7 of this Committee. Such action does not constitute an operational or organizational change within the meaning of Article III.

Establishing a work location for all employees at a common site a short distance away is not an operational change, as was contended. If an employee is moved to another desk in an office, to a different office across the hall or to renovated facilities a couple of hundred yards distant, Article III is not thereby brought into play.

A W A R D

1. Question No. 1 was withdrawn.
2. The answer to Question No. 2 is No.


Milton Friedman
Neutral Member

Dated: Washington, D. C.
March 7, 1972