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AWARD NO. 45
CASE NO. 48
SSW FILE R-24-695
BRC File 25-11

SPECIAL BOARD OF ADJUSTMENT NO. 169

PARTIES } The Brotherhood of Railway and Steamship Clerks
TO }
DISPUTE } St. Louis Southwestern Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood:

(1) That Carrier is evading the provisions of the Clerks' current Agreement when it transferred work belonging to employees of the Stores Department, Tyler, Texas, to employees of the Stores Department, Pine Bluff, Arkansas, and to employees of the Mechanical Department, Tyler, Texas, which transfer became effective November 1, 1955, when it did not comply with the provisions of Rule 18-2 of the Agreement effective April 1, 1946.

(2) That Carrier be required to comply with the provisions of Rule 18-2 of the Agreement effective April 1, 1946, in order that agreement may be reached as to the status and rights of the employees affected.

(3) That Carrier be required to re-establish the positions abolished with close of business on October 31, 1955, and compensate the following employees for salary loss sustained, starting with November 1, 1955, and continuing until the violation is corrected: Messrs. J. A. McEwen, R. L. Lewis, N. K. Putman, J. L. Rosenstein, W. M. Pickett, T. L. Stanley, Joe E. Lowery, J. T. Hullum, M. Ellis, C. E. Smith, W. C. Werner, Joe Miller, R. J. Henderson, Robert Hill, Harvey Mayes, and any other Division or General Store Room employees at Tyler, Texas, or Pine Bluff, Arkansas, who will, or may be, affected as a result of the Carrier's abolishment of positions in the Division Storeroom at Tyler, Texas, effective with close of business on October 31, 1955.

FINDINGS: The Board finds that there was no consolidation of seniority districts here as contemplated by Rule 18-2 of the agreement. All we had here was an abolishment of jobs to avoid duplication of work in handling material, and the manner in which it was handled was not in violation of the agreement.

AWARD: Claim denied.

/s/ Frank P. Douglass
Frank P. Douglass, Chairman

/s/ W. E. Straubinger
W. E. Straubinger, Employee Member
(Dissent attached)

/s/ L. C. Albert
L. C. Albert, Carrier Member

Tyler, Texas
May 3, 1957.

EMPLOYEE MEMBER'S DISSENT TO AWARD NO. 45

This Award states:

"The Board finds that there was no consolidation of seniority districts here as contemplated by Rule 18-2 of the agreement. All we had here was an abolishment of jobs to avoid duplication of work in handling material, and the manner in which it was handled was not in violation of the agreement."

Prior to November 1, 1955, materials for Texas points were handled through the Division Storekeeper at Tyler, Texas. Subsequent to that date requisitions have been sent directly to the General Storekeeper at Pine Bluff, and the employees at Pine Bluff of a different seniority district are now performing work of the Tyler Stores Department employees. Accounting work of the Tyler Stock Clerks is now being performed by Stock Clerks at Pine Bluff. Work of the Tyler Stores Department employees is now being performed by employees of other crafts at Tyler.

Invariably consolidations have the result of eliminating some duplication of work and result in the abolishment of jobs. To say that it is proper to abolish jobs and transfer the work to other seniority districts and to other crafts to "avoid duplication of work" is not sound reasoning.

Carrier abolished twelve positions effective with close of business October 31, 1955, leaving only fifteen positions in the Tyler Stores Department. It is not logical to believe that forty-five percent of all positions in one department could be abolished at one time without the work of that department being transferred to other seniority districts and to employees of other crafts.

/s/ W. E. Straubinger
W. E. Straubinger, Employee Member