

C O P Y

ORG. FILE 2-89
CARRIER FILE 140-465-33
MRAB FILE CL-8127

AWARD NO. 7
CASE NO. 7

SPECIAL BOARD OF ADJUSTMENT NO. 174

PARTIES The Brotherhood of Railway and Steamship Clerks,
 Freight Handlers, Express and Station Employees
TO

DISPUTE The Atchison, Topeka and Santa Fe Railway Company

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

(a) Carrier violated the rules of the Clerks' Agreement at Nemo, Illinois, when on August 4, 1954, it abolished Clerk Position 1645 and assigned the work from the position to employees not covered by the Clerks' Agreement; and,

(b) Clerk Position 1645 shall now be reinstated and the work returned to the scope of the Clerks' Agreement; and

(c) Carrier shall now pay H. G. Pettett one day's pay at pro rata rate for five (5) days per week and time and one-half for two (2) days per week from August 4, 1954, until violation is corrected; and,

(d) *The Clerks that were displaced because of this violation and who may have suffered reduction in pay shall be reimbursed for such losses; and

(e) *The Clerks that are required to be away from their home terminal as result of this violation shall be reimbursed for all travel and away-from-home expenses.

*NOTE: To be determined by joint check of payrolls and other Carrier records.

FINDINGS: Special Board of Adjustment No. 174, upon the whole record and all the evidence, finds and holds:

The Carrier and Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as amended.

This Special Board of Adjustment has jurisdiction over this dispute.

This is a companion case to S.B.A. No. 174 Award 6 which states the facts upon which this claim is based. This claim arises from the discontinuance of the sole remaining clerical position (Clerk Position No. 1645) on August 4 1954.

On August 16 1957 the first trick Telegrapher-Clerk position was abolished and the assigned hours of the Agent-Telegrapher were changed whereupon the station force at Nemo consisted of

Agent-Telegrapher	7:45 AM to 3:45 PM
Telegrapher-Clerk	3:45 PM to 11:45 PM
Telegrapher-Clerk	11:45 PM to 7:45 AM

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For the reasons stated in S.B.A. No. 174 Award 6 the claim should be disposed of as follows:

A I A R D

Item (a) of the claim sustained.

Item (b) of the claim denied.

Item (c) of the claim sustained for the period August 5 1954 to August 16 1957 to the extent of one minimum call each day.

Item (d) of the claim denied.

Item (e) of the claim denied.

/s/ Hubert Wyckoff
Chairman

/s/ A. D. Stafford
Carrier Member

/s/ J. D. Bearden
Employee Member

Dated at Chicago, Illinois December 16 1958