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Docket No. CL-8085
Award No. 9

SPECIAL BOARD OF ADJUSTMENT NO. 177 (FRR)

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

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly the Scope and Rule 2-A-1(a), when it failed to properly advertise the position held by L. W. Healy, Hollidaysburg Reclamation Plant, Hollidaysburg, Pennsylvania, Altoona Works Seniority District.

(b) The Claimant, L. W. Healy, be allowed the difference between the rate of pay of Stores Laborer, and that of assigned Laborer, beginning February 15, 1954, and continuing on all subsequent dates until the violation is corrected.

FINDINGS: Claimant was awarded a position as Common Stores Laborer with duties of loading and unloading all materials and assigned to the task of hooking on materials to a portable crane truck known as a Krane Kar at the Hollidaysburg Reclamation Plant. This crane was used three days a week, five hours per day.

The Employees contend that Claimant's position should have been advertised as an Assigned Laborer position and Claimant paid the Assigned Laborer rate.

For many years the work of hooking on in the Reclamation Plant has been classed and paid as Stores Laborer. Hooking on work at Altoona Car Shops has been reclassified as assigned labor but it is apparent that such work is in conjunction with overhead cranes handling heavier material and requiring greater skill. Similar work with portable crane trucks at Juniata Storehouse has been reclassified as assigned labor. Carrier asserts that this involves the handling of more valuable materials than at the Reclamation Plant and requires greater care. In any event, the reclassifying of the work both at the Car Shop and the Juniata Storehouse was by means of agreement and not by the sustaining of a claim therefor, as being required by existing rule. Further, it was specifically agreed in connection with the reclassification of the position at Juniata Storehouse that its reclassification should not establish a precedent.

We think the reclassification of the rate of individual positions under such circumstances is a matter for negotiation.

AWARD: Claim denied.

/s/ R. H. Skinner, Jr.
R. H. Skinner, Jr., Carrier Member

S. V. W. Loehr, Employee Member

/s/ Mortimer Stone
Mortimer Stone - Chairman