

C O P Y

ORG. FILE 8-1  
CARRIER FILE 3001-12-33  
NRAB FILE CL-8437

AWARD NO. 6  
CASE NO. 6

SPECIAL BOARD OF ADJUSTMENT NO. 194

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

TO

DISPUTE        St. Louis-San Francisco Railway Company

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

(1) The Carrier violated the terms of the currently effective Agreement between the parties when on May 4, 1954 it abolished the Ticket Cashier position at Newburg, Missouri and coincident therewith assigned the work attached thereto to others who hold no seniority or other rights under the Clerks' Agreement.

(2) The work attached to the Ticket Cashier position now be restored to clerical employes at Newburg, Missouri.

FINDINGS: Special Board of Adjustment No. 194, upon the whole record and all the evidence, finds and holds:

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

This Special Board of Adjustment has jurisdiction over this dispute.

The business and revenues of the station at Newburg, Missouri, have been considerably affected by the opening and closing of a military installation nearby. Prior to 1954 the passenger station and the freight station were separate facilities (20 feet apart); but in 1954 these offices were brought together.

The Carrier has always maintained around-the-clock telegraphic service at Newburg; and prior to 1941 ticket selling and ticket accounting had always been performed by telegraphers at the passenger station. In 1941 the Carrier increased its forces and created a Ticket Cashier position under the Clerks' Agreement in order to perform the ticket accounting work which, together with telegraphic duties, had increased beyond the capacity of the telegraphers to perform. In 1946 the Ticket Cashier position was abolished and the work was reassigned to the telegraphers who performed it until 1950 when the Ticket Cashier position was again established and the work was assigned to the Clerks who performed it until 1954 when the Carrier abolished the Clerks' Ticket Cashier position and again reassigned the work to the telegraphers.

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At the time the Ticket Cashier position was abolished in 1954 there were the following positions in the combined passenger and freight station: Agent, 3 telegraphers around-the-clock, Freight Cashier, Demurrage Yard Clerk, 2 Yard Clerks and Expense Bill Typist.

First. The clerical work in question had always been traditionally and customarily performed at this station by telegraphers in order to fill out their time. When their telegraphic duties increased to such an extent that they were no longer able to perform the clerical work in 1941 and in 1950, the Carrier was obliged to, and properly did, assign the work to clerks. And when the volume of work decreased in 1946 and 1954 to the point where it was within the capacity of the telegraphers to perform, the Carrier properly abolished the Clerks' Ticket Cashier position and returned the clerical work to the telegraphers whence it had come (Award 7133 this property; also Award 5849).

Second. Although the Clerks' Organization protested the abolishment of the Ticket Cashier position in 1946, the claim was not progressed. It is now urged that at the time of the 1946 abolishment there were no clerical employees available at the passenger station, whereas at the time of the 1954 abolishment there were a Freight Cashier, a Demurrage Clerk and an Expense Bill Typist available at the combined passenger and freight station to perform the work involved.

This contention assumes that the work in question was exclusively Clerks' Work; whereas, in the factual situation here presented, the Clerks had a right to the work only when it increased beyond the capacity of the telegraphers to perform.

A W A R D

Claim denied.

/s/ Hubert Wyckoff  
Chairman

/s/ T. P. Deaton  
Carrier Member

/s/ F. H. Wright  
Employee Member

Signed at St. Louis, Missouri, November 20, 1957.