

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 239
(Clerks' Board, St. Louis, Missouri)

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT HANDLERS,
EXPRESS AND STATION EMPLOYEES

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1. Carrier violated the Clerks' Agreement when, at the close of tour of duty on Saturday, April 12, 1958, it abolished the position of General Clerk at the Passenger Station at Gurdon, Arkansas, and effective Sunday, April 13, 1958, it removed the clerical work attaching to that position from the scope and operation of the Clerks' Agreement and assigned it to Telegraph Operators, employees of another class and craft, and covered by another Agreement, which was in violation of Rules 1, 2, 3, 5, 6, 45 and other related rules of the Clerks' Agreement;
2. The Carrier shall be required to compensate Clerk James R. Hilton for a pro rata day's pay at the rate of \$17.82 per day, for April 13, 14, 15, 16, 17, 1958, amount \$89.10.
3. The Carrier shall also be required to compensate Clerk James R. Hilton, or any other senior available qualified furloughed Clerk entitled to the work for a pro rata day's pay at the rate of the General Clerk position that was abolished, for each date subsequent to April 17, 1958, until the violation is discontinued.

OPINION OF BOARD:

The locale of this dispute is Gurdon, Arkansas, on the Carrier's Arkansas operating division, approximately 80 miles south and west of Little Rock, Arkansas. At the close of the tour of duty on Saturday, April 12, 1958, Carrier abolished a General Clerk's position at the passenger station. Claim is made on behalf of the senior qualified and available employee.

The record shows that during his assigned hours, 5:30 AM to 2:30 PM, the General Clerk sold tickets, made ticket and baggage reports, checked and delivered baggage, and performed the janitor work at the passenger station. With the assistance of other employees under the Clerks' Agreement in the freight yard office, the General Clerk handled U.S. mail, baggage and express off and on passenger trains and trucks and handled the U.S. mail between the passenger station and the Post Office.

It further appears from the record that the position in question, with the duties above described, was established February 19, 1958, about the time a Baggage man position was abolished and when Telegraphers at that location took on the additional duties of operating Centralized Traffic Controls. The CTC operations were removed from the Telegraphers' positions in April, 1958. The work of the abolished position has been absorbed by Telegraphers to fill out their tour of duty.

We see enough in the submissions to convince us that Telegraphers, on one or more of three shifts, have done most of the passenger station work at this location. No more than two ticket clerks were ever assigned. Two and sometimes three Baggage Clerks worked from time to time, and occasionally a Porter or Porters. The one remaining Ticket Clerk position, assigned since January 30, 1946, was abolished about January 21, 1957.

We think the record here supports the Carrier's contention that the General Clerk's position was established largely for assisting Telegraphers at the Curdon, Arkansas, passenger station. When the need for the position no longer existed, Carrier rightfully abolished it.

We reserve opinion on the Carrier's right to abolish the Baggage man's position at this same location and which is the subject matter of another dispute docketed before this Board.

FINDINGS:

The Board, after oral hearing, and upon the record and all the evidence, finds and holds:

That the Carrier and Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as amended;

That jurisdiction over the dispute involved herein has been conferred upon this Board by special agreement; and,

That the Agreement by and between the parties to this dispute has not been violated.

AWARD

Claim denied by order of:

Special Board of Adjustment No. 239

/s/ A. Langley Coffey
A. Langley Coffey, Chairman

/s/ F. E. Giese
F. E. Giese, Employer Member

/s/ Ira F. Thomas
Ira F. Thomas, Employee Member

Dated at St. Louis, Missouri,
this 30th day of June, 1959.