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Docket No. CL-1553
Award No. 1

SPECIAL BOARD OF ADJUSTMENT NO. 172

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
versus
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

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

(a) the incumbent of position "D-41", Yard Clerk, Penobscot, Penna., be paid at punitive rate due to Yardmasters performing clerical work on March 1, 1953 and each succeeding day.

FINDINGS

Two clerical positions were abolished at Penobscot March 10, 1947, leaving one clerical position at that point. There was a letter agreement that the remaining clerical duties would be performed by that one position, except that the yardmaster or agent could handle telephone work and call trainmen when the clerk was not on duty.

There was a protest about the work performed by the second trick yardmaster starting March 1, 1953 and from a joint check conducted on August 6, 1953 it appears that the second trick yardmaster was performing clerical work other than that agreed to by the letter agreement.

Rule 9(a)(4) requires that the work of abolished clerical positions remaining to be performed will be assigned to another position covered by the agreement when such a position remains in existence at the location where the work of the abolished position is to be performed. Thus, it has been shown that the Carrier has violated the agreement and the claim should be sustained. The Employees' position has been reduced to that of claiming a "call" each day, and the claim will be sustained on that basis.

AWARD

Claim sustained in accordance with the findings.

SPECIAL BOARD OF ADJUSTMENT NO. 172

/s/ Dudley E. Whiting
Dudley E. Whiting - Chairman

/s/ Wm. A. Palmatier
W.A. Palmatier - Employee Member

/s/ J. J. Duffy
J.J. Duffy - Carrier Member

Jersey City, N. J.
March 19, 1957