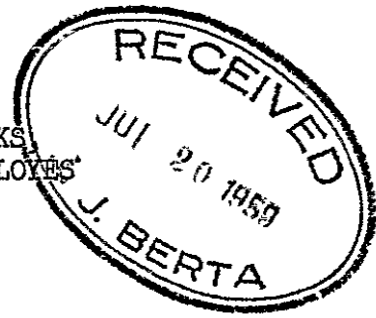


SPECIAL BOARD OF ADJUSTMENT NO. 192

PARTIES:

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
and
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 12



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

(1) Carrier violated Rules 1(c)1 and 1(c)2 and other Rules of the Clerks' Agreement at Grafton, W. Va., when at close of business on December 31, 1953, it abolished Position 68-1-805, Stenographer-Clerk and

(2) That Claimant Miss Mary P. Bradford and/or her successors in interest be compensated for wage loss sustained on January 1, 1954, and subsequent dates due to improper abolishing of such position.

FINDINGS:

Following abolishment of a clerical position in the office of the Division Engineer at Grafton, W. Va., the remaining work of the position was assigned to excepted positions.

The employees argue that the abolishment of the position was improper and cite Rule 1(c)1 and 2 in support of the claim.

There is dispute with respect to the amount of work which remained on the position when it was abolished. However, in the view we take of the claim it is not necessary to resolve that question. Rule 1(c)1 requires that when a covered position is abolished the work assigned thereto which remains to be performed will be reassigned to position or positions covered by the agreement when such position or positions remain in existence at the location where the work of the abolished position is to be performed. Although the Carrier argues that there were no covered positions remaining in the Division Engineer's office it is shown that there were covered positions at Grafton in an adjacent office. The rule is not confined to a given office but rather treats of a "location". Clearly an adjacent office under the circumstances here present would come within that designation.

The phrase "and/or her successors in interest", as contained in Item (2) of the claim, is indefinite. The claim will be sustained on behalf of the named claimant for such wage loss as she suffered after January 1, 1954, by reason of the abolishment of the Stenographer-Clerk position and for the period after her claim is satisfied for others who would have stood in the same status as she and who were adversely affected. All wage loss to be computed less earnings in outside employment.

AWARD

Claim (1) Sustained.

Claim (2) Disposed of as indicated in Findings.

/s/ Francis J. Robertson
Francis J. Robertson
Chairman

/s/ E. J. Hoffman
E. J. Hoffman
Employee Member

/s/ T. S. Woods
T. S. Woods
Carrier Member

Dated at Baltimore, Maryland this
18th day of February, 1959.