

CASE NO. _____
AWARD NO. 26
DOCKET NO. TE-8415
ORT CASE: 1837

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers
and
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Combining the Passenger Agent's position with the clerical operator's position at Haverford; removal of the Asterisk from the Agent's position and restoration of the position of operator-clerk." (Philadelphia Terminal Division - System Docket No. 245)

FINDINGS:

The applicable agreement clearly provides for two separate and distinct groups of employees, Group 1 and Group 2.

Regulation 3-C-1 provides:

"No position now existing or hereafter established shall be designated by an asterisk (*) in the Rate Schedule if the employee filling such position is normally required, during his entire daily tour of duty, in addition to his supervisory duties, to perform routine duties usually performed by Clerical, Station or Group 2 employees."

Haverford has a Passenger Agent listed as an asterisk (*) position. Being a Group 1 position, the asterisk would indicate that the Passenger Agent does not "perform routine clerical duties usually performed by Clerical, Station or Group 2 employees."

Haverford also lists a Group 2 position of Operator-clerk.

On February 9, 1954 the Group 2 Operator-clerk position was abolished. The Organization states the duties of the position were "not abolished in fact x x x but were arbitrarily assigned to and performed by the Agent, a Group 1 employee."

Carrier's action was not permissive under the Agreement so long as the Agent's position remained an asterisk position. The asterisk was removed October 1, 1954.

Organization asserts the Agent could not absorb the duties of the Group 2 Operator-clerk position because they are separate in all respects, including seniority.

Carrier asserts the position was abolished on February 9, 1954 and that no telegrapher work had been performed by the Operator-clerk since December, 1950 when Western Union service ended. The telegrapher work had ceased on that date. None of the work of the Operator-clerk position which remained is telegrapher's work exclusively. In fact it is work which can properly be performed by an agent.

Claim is sustained only for the period February 9, 1954 to October 1, 1954 when the asterisk was removed from the agent's position.

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AWARD:

Claim sustained to the extent indicated in findings.

Signed this 10th day of April, 1961.

/s/ E. A. Lynch
E. A. Lynch, Chairman

/s/ C. E. Alexander
C. E. Alexander, Carrier Member

/s/ R. J. Woodman
R. J. Woodman, Employe Member

