

Case No. 27
Award No. 32
ORT Case No. 1966 (TE-8700)

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers
and
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Claim of the O.R.T. that the agreement was violated when the Asst. Agent's position was abolished at Fourth Ave., Pittsburgh, without abolishing the work of the position.

Also, that the performance of the work by an employe not under the coverage of our agreement is a violation of the scope rule of the Agreement.

Claim is made that R. A. Frank be returned to the position and compensated for any loss of pay or expense incurred because of this arbitrary action, and that any other employes who were improperly displaced or caused loss when R. A. Frank was compelled to exercise his seniority be compensated for such loss or expense." (Panhandle Division File T-50 - System Docket No. 234)

FINDINGS:

Claimant's tour of duty, as assistant agent at Fourth Avenue Station was 8:15 a.m. to 5:00 p.m. The station was closed and Claimant's position was abolished February 5, 1954. The sale of Pullman and interline tickets and the making of train reservations at this point was discontinued there.

A clerk, whose assignment was at Try Street Freight Station nearby, opened Fourth Avenue Station subsequent to February 5, 1954 from 5:00 p.m. to 6:00 p.m. to sell commuter tickets to patrons for trains Nos 715, 810 and 717. He had done this work prior to abolition of Claimant's job from 5:00 to 5:45 p.m., The 15 minutes were added to his schedule, Carrier states, because of a change in train schedules. He did not take over any of the assistant agent's duties.

AWARD:

Claim denied.

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
DISSENTING