

AWARD NO. 9  
DOCKET NO. 41347

PUBLIC LAW BOARD NO. 400

UNITED TRANSPORTATION UNION (E)  
and  
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT  
OF CLAIM:

Time claims of Fireman Leslie F. Bradley for 100 miles each day, from September 1, 1963, account being denied the right to continue working as a fireman through the instructions of Superintendent Fletcher to Superintendent Jones on the contention that the claimant established no seniority and his resignation to become effective September 1, 1963, was submitted--Missouri Division.

FINDINGS:

This case involves several claims, the only one of which being considered is Case No. 4243. The other matters were disposed of by the National Rules Committee. The facts are that the claimant was offered, and accepted, summer employment with this Carrier. Before the claimant was hired, it was made abundantly clear to him that his employment would be for the summer months only. This railroad, along with many other railroads, offers summer employment to college students, and such is generally done with the blessings of the various labor organizations.

During the oral presentation of this case, the Organization member of this Board expressed great concern that a denial award might adversely affect the current working Agreement. A full discussion of the matter clearly revealed that there was no hint of subterfuge and that the entire matter was handled in an open and above-board manner.

This handling applies to summer employment only and does not extend to men who hire out for other than summertime jobs.

AWARD:

Claim denied.

PUBLIC LAW BOARD NO. 400

*David R. Douglass*  
David R. Douglass--Chairman

*E. A. Thompson, Jr.*  
E. A. Thompson, Jr.--Employee Member

*C. C. Courtway*  
C. C. Courtway--Carrier Member

*Dissenting*

File: 277-2299-1

21107

September 5, 1969  
St. Louis, Missouri