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SPECIAL BOARD OF ADJUSTMENT NO. 122

THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY
THE LAKE ERIE AND EASTERN RAILROAD COMPANY
vs
BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES

Award No. 31
Case No. 41

STATEMENT OF CLAIM:

Claim of Baggage and Mail Handler F. H. Andracki for eight (8) hours each for the following tours of duty:

December 22, 1954 - 7:00 A.M. to 3:00 P.M.
December 22, 1954 - 3:00 P.M. to 11:00 P.M.
December 23, 1954 - 7:00 A.M. to 3:00 P.M.
December 23, 1954 - 3:00 P.M. to 11:00 P.M.

account Group 1 Seniority District No. 10 employees performing Group 2 Seniority District No. 33 work, when he was on his rest days and available for work and not called. (CL-279)

FINDINGS: The Board, upon the whole record and all the evidence, finds that:

The Carrier or Carriers and the employee or employees involved in this dispute are respectively Carrier and Employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

The Board has jurisdiction over the dispute involved herein. The parties to said dispute were given due notice of hearing thereon.

The phrase "I cannot find any basis for your claim" is a sufficient statement, under Rule 43 (a), of the Carrier's reasons for the denial. All that the rule requires is that a reason be given. Whether such stated reason is good or bad, succinctly stated or given full length treatment, it nevertheless suffices under the language of the Rule.

The evidence refutes the assertion that Foremen in the Pittsburgh Package Room intruded upon the work sphere of Group 2, Seniority 33 employees.

AWARD: Claim denied.

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/s/ Harold M. Gilden
Harold M. Gilden, Neutral and Only Member Thereof

Pittsburgh, Pa.
April 24, 1958.