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SPECIAL BOARD OF ADJUSTMENT NO. 122

THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY
THE LAKE ERIE AND EASTERN RAILROAD COMPANY

Award No. 35
Case No. 40

vs

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES

STATEMENT OF CLAIM: Claims by the following Group 2 employees at Pittsburgh Baggage Room for additional compensation account Group 1 employees at that point performing Group 2 work: (CL-263)

Claimant

Dates Claimed

G. Fisher

August 3, 9, 10, 13, 17, 1954.

L. G. Santoro

August 17, 1954.

F. H. Andracki

December 11, 15, 16, 1954.

B. L. Gubbison

December 13, 14, 1954.

This appeal also to include subsequent claims filed account Group 1 employees performing Group 2 work, which is a continuing violation and protected on appeal by Section 3 of Rule 43, effective January 1, 1955.

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.

From a fair appraisal of the Foreman's performance, here made subject of claim, it may reasonably be concluded that such disputed activity was essentially in furtherance and fulfillment of the Foreman's legitimate job scope and not a usurpation of any work prerogatives exclusively reserved to Group 2 employees at the Pittsburgh Baggage Room.

AWARD: Claims denied.

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/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof.

Pittsburgh, Pa.
April 24, 1958.