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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. 4  
CASE NO. 9

STATEMENT OF CLAIM:

Claim of Assistant Crew Dispatcher W. B. Hetrick for one day's pay on each date account of violation of Rule 30 of the Clerks' Agreement due to being required to absorb overtime on Check Room Attendant, Job 32, at East Youngstown, September 11, 18 and 19, 1953. (CL-177)

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 the standpoint that the Clerical Extra List was exhausted, and that none of the regular clerks was agreeable to double out or work on his relief day, it cannot be successfully urged that Claimant's handling of the Checkroom key, and possibly some other incidental Check room services, in addition to his regular duties of Assistant Crew Dispatcher, was either repugnant to the contractual seniority provisions, or in any way violative of Rules 10 and 30 of the Clerks' Agreement. In this situation it cannot be maintained either that claimant filled a temporary Checkroom attendant job vacancy, or that he was required to suspend work for the purpose of absorbing overtime.

AWARD: Claim denied.

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

Pittsburgh, Pennsylvania  
April 25, 1957