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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. 41
Case No. 23

vs

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

STATEMENT OF CLAIM:

Claim of Yard Clerk M. W. Frush for 8 hours at punitive rate for May 16, 1954, account Assistant General Yard Master D. D. Baker performing clerical duties attached to Job 333 and Job 334, West Yard, East Youngstown. (CL-235)

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.

Carrier fulfilled its obligations under the Agreement when it called extra clerks to fill the regular relief clerk vacancies on Jobs 333 and 334, West Yard at East Youngstown.

Considering the extra clerks' inexperience and unfamiliarity with the job demands, it was not improper for the Assistant General Yardmaster to give instructions and furnish assistance.

The extra clerks' obvious inadequacies in job qualifications should not serve to penalize Carrier for faithfully adhering to the designated contractual procedures for filling vacancies.

AWARD: Claim denied.

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/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof.

Pittsburgh, Pa.
April 24, 1958.