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Award No. 23
Docket No. 23

SPECIAL BOARD OF ADJUSTMENT NO. 166

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

1. Carrier violated the Agreement when, on October 19, 1956, the following
    named, listed and rated Clerks –

    W. T. Meissbach, Interline Group Head   rate $17.94
    E. W. Kortum, Assistant Interline Group Head   "   17.70
    O. J. Mueller, Assistant Interline Group Head   "   17.70
    V. J. Rutherford, Senior Interline Division of
        Revenue Clerk   "   17.14
    Chas. E. Sweeney, Junior Interline Division of
        Revenue Clerk   "   15.82

    were summoned by the Board of Election Commissioners of the City of St.
    Louis to serve as canvassers of voters in the precincts assigned to them
    for the Board and their positions with the Carrier were not filled and
    the Carrier made payroll deductions from their wages, in violation of
    Rule 39 of the Clerks' Agreement;

2. That the Carrier be directed by an appropriate order of the National
    Railroad Adjustment Board to pay these five claimants for the day's
    wages the Carrier wrongfully denied them, for October 19, 1956.

FINDINGS: The confronting claims are brought in behalf of the five named claim-
           ants for one day's pay for October 19, 1956, account failure of the
Carrier to award such compensation when claimants were acting as canvassers of
voters. It is alleged the requested reparations are mandatory within the meaning
of Rule 39. An examination of Rule 39 reveals that only service as judges and
clerks of election are contemplated in the coverage thereof. There being no men-
tion of "canvassing of voters," it cannot be properly held that the confronting
claims are meritorious.

AWARD: Claims denied.

                    SPECIAL BOARD OF ADJUSTMENT NO. 166

                    /s/ Livingston Smith
                    Livingston Smith – Chairman

/s/ Ira F. Thomas   /s/ G. W. Johnson
I. F. Thomas – Employe Member   G. W. Johnson – Carrier Member

St. Louis, Missouri
September 20, 1957