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AWARD NO. 26

NRAB DOCKET NO. CL-8562

CASE NO. 26

SSW FILE R-51-711-40

BRC FILE NR-27-11

SPECIAL BOARD OF ADJUSTMENT NO. 169

PARTIES ) The Brotherhood of Railway and Steamship Clerks  
TO )  
DISPUTE ) St. Louis Southwestern Railway Company

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

(1) That Carrier violated the Clerks' current Agreement November 3, 1952, when it failed to call Mr. R. L. McClung for a vacancy which existed on the Line Desk position, Tyler Yard Office Tyler, Texas,

(2) That Mr. R. L. McClung be paid for eight (8) hours at one and one-half times Line Desk rate of pay for November 3, 1952.

FINDINGS: The facts in this case disclose that although Carrier only had five minutes time in which to notify the claimant for the job to make himself available at starting time, no effort was made on the part of the Carrier to so notify McClung and McClung was entitled to the work. Therefore, the Board finds that no reasonable effort was made to make the claimant available as they should have.

AWARD: Claim sustained for straight time for the eight hours for which claim is made.

/s/ Frank P. Douglass  
Frank P. Douglass, Chairman

/s/ W. E. Straubinger  
W. E. Straubinger, Employee Member

/s/ L. C. Albert  
L. C. Albert, Carrier Member

Tyler, Texas  
April 5, 1957.