

C O P Y

SPECIAL BOARD OF ADJUSTMENT NO. 173

Award No. 2  
Case No. 7

Parties to Dispute: Brotherhood of Railway and Steamship Clerks,  
Freight Handlers, Express and Station Employees

Union Pacific Railroad Company

Statement of Claim: "Claim of the System Committee of the Brotherhood of Railway  
and Steamship Clerks, Freight Handlers, Express and Station  
Employees that

"(1) Carrier violated Article IV of the December 1941 Vacation Agreement when it  
required Albert Solomon to commence his vacation on May 30, 1955 and end it on  
June 10, 1955 in lieu of his choice of May 31, 1955 to June 13, 1955.

"(2) Carrier now compensate Albert Solomon an additional day's pay for May 30th and  
June 13, 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.

Carrier's instructions to the effect that employees schedule full vacations  
to begin on the first day of their respective work weeks, was a reasonable requirement  
best suited to least disturb routine, and as such, was entirely consistent with the  
requirements of the service.

Accordingly, rejecting claimant's vacation selection of May 31 to June 13,  
1955, and assigning him, in lieu thereof, a vacation period to extend from May 30 to  
June 10, 1955, was not violative of Article 4 of the December 17, 1941 Agreement.

Furthermore, the counting of the May 30 holiday as a vacation day is  
sanctioned, in this instance, by Section 3, Article I "Vacations", of the Agreement  
dated August 21, 1954. No additional vacation increment is due herein.

Award: Claim denied.

Special Board of Adjustment No. 173

/s/ Harold M. Gilden, Chairman

/s/ A. J. VanDercreek, Carrier Member

/s/ C. F. Bignall, Organization Member

Omaha, Nebraska  
December 26, 1957