

C O P Y

SPECIAL BOARD OF ADJUSTMENT NO. 173

Award No. 4
Case No. 12

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 Vacation Agreement of December 17, 1941 when they refused to allow Mr. G. T. Hansen two days' vacation on May 31 and June 1, 1955 but insisted he take three days May 30 to June 1, 1955, inclusive; Carrier violated same agreement when they refused to allow Mr. E. C. Johnson one day's vacation May 31, 1955 and insisted he take two days' vacation to include May 30 and 31, 1955; Carrier also violated the December 17, 1941 National Vacation Agreement when they refused to allow Mrs. Beatrice Paulsen to take four days' vacation from July 5, 1955 to and including July 8th, but insisted that she take five days to include July 4 to July 8, 1955.

"(2) Carrier shall allow each claimant an additional day's vacation or a day's pay in lieu thereof account of this violation."

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.

Notwithstanding, that in these claims, it was the Claimants themselves who requested that their respective vacation schedules include either the May 30 or July 4 holiday, essentially the same principles are here involved as were dealt with in Award No. 2, Case 7, Special Board of Adjustment No. 173. Accordingly, said prior decision governs the disposition of this case.

Award: Claims 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