

COPY

SPECIAL BOARD OF ADJUSTMENT NO. 192

PARTIES: BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
and
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 14

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

(1) The Carrier violated the Rules of the Agreement effective July 1, 1921, as revised to and including June 1, 1953, when it required Relief Enginehouse Clerk H. E. Thompson to suspend work on his regular assignment commencing Saturday, September 25, 1954, and on each and every Saturday and Sunday, thereafter, to do the sweeping of the Engineers' Locker Room, Register Room and Callers' Office, Newark, Ohio, and

(2) That Patrick R. Giblin, and/or his successors in interest who become the regular or temporary incumbent of position of Janitor from Monday through Friday, be compensated for eight hours at penalty rate for Janitor's work performed on the Saturdays and Sundays specified in item (1),

FINDINGS:

At Newark, Ohio, the Carrier maintains a five-day position of janitor of which the claimant is the incumbent. Effective Saturday, September 25, 1954, the Carrier instructed one H. Thompson, a Relief Enginehouse Clerk, to perform the work of sweeping of the Engineers' Locker Room, Register Room and Callers' Office.

There is an analogy between this case and that upon which our Award in Docket No. 22 is based. For the reasons indicated in our Findings in that Award the assignment of the janitorial work to the Relief Enginehouse Clerk was violative of the requirements of Rule 3 (e-2), since that work was not a part of the duties of the position relieved.

The claim is sustainable but not in the amount sought by the employees. It is shown that the work involved required a maximum of 30 minutes. Therefore, the claim should be sustained for a call as provided in Rule 8 for Saturday, September 25, 1954, and on each and every Saturday and Sunday thereafter when the incumbent of the Enginehouse Clerk position performed the work of sweeping the Engineers' Locker Room, Register Room and Callers' Office at Newark, Ohio.

AWARD

Claim (1) sustained. Claim (2) sustained to extent indicated in Findings.

/s/ Francis J. Robertson
Chairman

/s/ E. J. Hoffman
Employee Member

/s/ T. S. Woods
Carrier Member

Date at Baltimore, Maryland this
26th day of August, 1959.