

SPECIAL BOARD OF ADJUSTMENT NO. 374

Brotherhood of Railway and Steamship Clerks, Freight Handlers,
Express and Station Employees

and

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM:

System Docket 290 - Southwestern Region Case 39-57 - "Claim of the
System Committee of the Brotherhood that:

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly Rules 2-A-1 and 2-A-2, and Supplemental Agreement 'A', paragraph 1-C, when it failed to bulletin and award a clerical position which was established in the office of Mr. R. W. Riser, Assistant Engineer - Construction, located in the Produce Yard, Indianapolis, Indiana, Southwestern Region.

(b) The Claimant, R. I. Stevens, should be allowed eight hours pay a day, as a penalty commencing February 11, 1957, and continuing until the violation is corrected."

FINDINGS:

The job in question, against which the claim is filed, has been an excepted position since 1944. The subsequent change in Carrier's Table of Organization did not affect the position in any respect.

The holder of the position is Herman G. Igel. The position was never bulletined or awarded under the rules agreement because it was excepted therefrom.

The claim is without merit and will be denied.

AWARD:

Claim denied.

Signed this 12th day of December, 1961.

/s/ Edward A. Lynch
E. A. Lynch, Chairman

/s/ A. E. Myles
A. E. Myles, Carrier Member

/s/ A. B. Seward
A. B. Seward, Employee Member