

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:

"Claim of the System Committee of the Brotherhood that:

(a) J. M. Hampton be assigned to position of Foreman, Mail Platform - 30th Street Station, Philadelphia, Pennsylvania, and be compensated for monetary loss sustained, retroactive to and including June 7, 1957, effective date on which he signified that he wished to displace a junior employee. (Docket 212)"

FINDINGS:

Two facts present in this record require that a denial Award be issued.

1. Claimant's assignment to newly installed mail-handling equipment from April 15 to June 2, 1957 does not constitute experience in the wide range of a foreman's position despite the fact he was paid at the foreman's rate.
2. Carrier did not exercise its right to determine the qualifications of this man in an arbitrary or capricious manner. This is amply proven by Carrier's exhibits F and G in this record.

The claim will be denied.

AWARD:

Claim denied.

Signed this 12th day of December 1961

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

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

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