

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 No. 410 - New York Region Case No. 3-57 - "Claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Clerks' Agreement, effective May 1, 1942, except as amended, particularly Rule 3-C-1, when on November 16, 1956, it denied Nicholas Chidylo, Assistant Foreman, Desbrosses Street Freight Station, New York, N. Y. the right to displace Foreman P. J. Fleming at West 12th Street Freight Station, New York, a junior employee.

(b) Nicholas Chidylo be compensated for all monetary loss sustained beginning November 19, 1956, and until adjusted." (Docket 410)

FINDINGS:

Here Carrier refused to permit Claimant to exercise his seniority on a foreman's position because "claimant lacked the necessary qualifications as required under Rule 2-A-2."

Specifically the only point involved was his lack of experience in outbound routing of LCL freight, which only accounted for a portion of the total responsibilities of the job in question.

However, Claimant was offered the opportunity to post on the foreman's position. He refused to accept it.

It being a fact he had no prior experience, in the outbound routing of LCL freight, we think he should have accepted the offer to post on the foreman's position.

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