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SPECIAL BOARD OF ADJUSTMENT NO. 122

THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY
THE LAKE ERIE AND EASTERN RAILROAD COMPANY

Award No. 27
Case No. 39

vs

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES

STATEMENT OF CLAIM:

Claim of Yard Clerk G. M. Donnan, for punitive rate of Job 6, Assistant Chief Clerk, East Youngstown, for November 18, 1954 and subsequent dates account other craft and employees of other seniority districts performing duties and reports after the abolishment of Job 6. (CL-306)

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.

Insofar as the General Yardmaster and Assistant Superintendent individually denied the claim within sixty days from the date of filing, a violation of Rule 43 is not established.

See Award No. 25, Case No. 30, Special Board of Adjustment No. 122 on the question of Carrier's alleged non-compliance with Agreement of March 15, 1954.

Where, as here, the work load of Assistant Chief Clerk, Job #6 diminishes to such an extent that the continued retention of a full time employee in that position cannot be rationalized, the Carrier may distribute the small amounts of Job #6 tasks remaining to be performed among other clerical assignments in the General Yardmaster's office. See Award No. 6, Special Board of Adjustment No. 122.

AWARD: Claim denied.

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/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof

Pittsburgh, Pa.
April 24, 1958.