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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. 39  
Case No. 49

vs

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

STATEMENT OF CLAIM:

Claims of clerks listed below for a day's pay at the punitive rate account of the work at Belle Vernon Station being performed by persons not covered by the scope of the Clerks' Agreement on the dates shown.

December 20 and 21, 1954	Catherine M. Gallo
December 22, 1954	Jane C. Kalenik
December 23 and 24, 1954	Edward V. Timlin
December 27, 1954	Lorraine J. Babich
December 28 and 29, 1954	Blanche Robertson (CL-287)

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.

The additional personnel required to handle the increased volume of clerical work at Belle Vernon Freight Station should have been recruited from employees covered by the Clerks' Agreement, rather than to be delegated to the Freight Agent. In other words, an additional job opening existed which should have been filled in the same manner as was the vacancy which resulted from the regular assigned Clerk's vacation absence.

The proper basis of recovery herein is the straight time rate. See Award No. 17, Case No. 28, Special Board of Adjustment No. 122.

AWARD: Claim sustained for one pro rata day's pay for each date involved in accordance with the above findings.

SPECIAL BOARD OF ADJUSTMENT NO. 122

/s/ Harold M. Gilden  
Harold M. Gilden, Neutral and Only Member Thereof

Pittsburgh, Pa.  
April 24, 1958.