0 P Award No. 23 Docket No. 23

SPECIAL BOARD OF ADJUSTMENT NO. 166

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

MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

1. Carrier violated the Agreement when, on October 19, 1956, the following named, listed and rated Clerks -

W. T. Meissbach, Interline Group Head rate \$17.94
E. W. Kortum, Assistant Interline Group Head 17.70
O. J. Mueller, Assistant Interline Group Head 17.70

V. J. Rutherford, Senior Interline Division of Revenue Clerk

17.14

Chas. E. Sweeney, Junior Interline Division of Revenue Clerk

15.82

were summoned by the Board of Election Commissioners of the City of St. Louis to serve as canvassers of voters in the precincts assigned to them for the Board and their positions with the Carrier were not filled and the Carrier made payroll deductions from their wages, in violation of Rule 39 of the Clerks' Agreement;

2. That the Carrier be directed by an appropriate order of the National Railroad Adjustment Board to pay these five claimants for the day's wages the Carrier wrongfully denied them, for October 19, 1956.

FINDINGS: The confronting claims are brought in behalf of the five named claimants for one day's pay for October 19, 1956, account failure of the Carrier to award such compensation when claimants were acting as canvassers of voters. It is alleged the requested reparations are mandatory within the meaning of Rule 39. An examination of Rule 39 reveals that only service as judges and clerks of election are contemplated in the coverage thereof. There being no mention of "canvassing of voters," it cannot be properly held that the confronting claims are meritorious.

AWARD: Claims denied.

SPECIAL BOARD OF ADJUSTMENT NO. 166

/s/ Livingston Smith
Livingston Smith - Chairman

/s/ Ira F. Thomas
I. F. Thomas - Employe Member

/s/ G. W. Johnson G. W. Johnson - Carrier Member

St. Louis, Missouri September 20, 1957