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AWARD NO. 17
NRAB DOCKET NO. CL-8360
CASE NO. 17
SSW FILE R-51-711-51
BRC FILE NR-27-4

SPECIAL BOARD OF ADJUSTMENT NO. 169

PARTIES } The Brotherhood of Railway and Steamship Clerks
TO }
DISPUTE } St. Louis Southwestern Railway Company

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

(1) That Carrier violated the Clerks' current Agreement in the office of Superintendent of Transportation, Tyler, Texas, on June 1 through 14, 1954, when it used Mrs. Cordia Frances Johnson on the position of Wheels, Interchange and Miscellaneous Statements instead of Mr. W. R. Wooley.

(2) That Mr. W. R. Wooley be paid \$15.90, which represents the difference between his regular rate of \$14.31 per day and \$15.90 per day, the regular rate for the Wheels, Interchange and Miscellaneous Statements position, for the ten day vacation period of Mr. E. R. Bass, June 1 through 14, 1954.

FINDINGS: Without passing upon the question of whether or not the claimant here was mishandled, the facts have developed that the claimant suffered no loss as result of the handling. The question, therefore, becomes moot as to the claim for lost earnings here.

AWARD: Claim dismissed.

/s/ Frank P. Douglass
Frank P. Douglass, Chairman

/s/ W. E. Straubinger
W. E. Straubinger, Employee Member

/s/ L. C. Albert
L. C. Albert, Carrier Member

Tyler, Texas
March 25, 1957.