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AWARD NO. 2  
NRAB DOCKET NO. CL-7777  
CASE NO. 2  
SSW FILE R-51-204-B-49  
BRC FILE NR-27-32

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 when it used employees junior to Relief Clerk R. F. Tisdale, Pine Bluff, Arkansas, in the filling of temporary vacancies.

(2) That Relief Clerk R. F. Tisdale be reimbursed at penalty rate of pay for nine hours and thirty minutes at Check Clerk rate of pay for Thursday, May 17, 1951; for nine hours and ten minutes at Check Clerk rate of pay for Friday, May 18, 1951, for nine hours and fifteen minutes at Check Clerk rate of pay for Friday, June 8, 1951, and for all subsequent dates until the violation is corrected.

FINDINGS: Claimant Tisdale was regularly assigned Relief Clerk - off Thursday and Friday - Group 1 seniority of October 21, 1941. Thursday, May 17, 1951, and Friday, May 18, 1951, check clerk vacancies occurred and Carrier used J. J. Throneberry each day. Throneberry was regularly assigned to a Group 3 position, off Tuesday and Wednesday. He had a Group 3 date of September 11, 1944, and held no Group 1 seniority. On Friday, June 8, 1951, check clerk vacancy occurred and Carrier used W. H. Phelps. Phelps was regularly assigned to a Group 3 position, off Saturday and Sunday. He had a Group 3 date of November 30, 1942, and held no Group 1 seniority.

The principle involved in this case was disposed of in Award No. 1, which denied the claim.

AWARD: Claim denied.

/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 5, 1957.