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AWARD NO. 36  
NRAB DOCKET NO. CL-8795  
CASE NO. 37  
SSW FILE R-51-713-7  
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 since September 1, 1949, when it required persons not covered by the Scope Rule of our Agreement and improper employees to perform work regularly assigned to Warehouse Foremen E. F. Barron, Sr., Waco, Texas.

(2) That E. F. Barron, Sr., be reimbursed for two hours each day at penalty rate of pay, for five days each week, starting with September 1, 1949, and continuing until the violation is corrected.

FINDINGS: Keeping in mind the fact that the Carrier has a wide latitude in determining the amount of supervision necessary for it to maintain, we can find no basis for sustaining 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  
April 25, 1957.