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AWARD NO. 41
CASE NO. 42
SSW FILE R-51-723-4
BRC FILE 17-4

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 when it failed to permit Mrs. Margaret V. Meek, Office of Auditor Disbursements, Tyler, Texas, to exercise her displacement rights over a junior employee occupying the position of her choice.

(2) That Mrs. Meek be reimbursed at penalty rate of pay, for each Saturday and Sunday, starting with March 12, 1955, which days are work days of the position on which she subsequently displaced. Claim to continue until violation is corrected.

FINDINGS: Claimant's job was abolished and she exercised her seniority in the stenographic pool where there were four steno jobs all with similar duties, similar hours, similar work days and similar rest days.

Complaint is made that she was not permitted to sit at a certain desk that she preferred to sit at. In a situation of this kind, where the duties are identical, rest days and everything else as in this instance, her seniority does not give her the right to dictate to the carrier what may be required of her. Therefore, there is no basis for a sustaining award.

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 30, 1957.