

PARTIES TO DISPUTE: Brotherhood of Railway and Steamship Clerks,
Freight Handlers, Express and Station Employees

Union Pacific Railroad Company

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood that:

(a) The Carrier violated the Rules of the Clerks' Agreement at Baker, Oregon, when it failed to call and use Janitor-Trucker Ivan E. Eckland to perform janitor work on his position on his rest days Saturday, March 27, 1954 and Sunday, March 28, 1954, work which was not part of any assignment and regularly assigned to and performed by him during his work week, Monday thru Friday.

(b) That Janitor-Trucker Ivan E. Eckland, shall be compensated for 3 hour call at time and one-half at the rate of position to which he was assigned for March 27th and 28th, 1954, and for all subsequent Saturdays and Sundays until the violation of the agreement is corrected."

FINDINGS: The Board, upon the whole record and all the evidence, find that:

The Carrier or Carriers and the Employee or Employees involved in this dispute are respectively Carrier and Employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

The Board has jurisdiction over the dispute involved herein. The parties to said dispute were given due notice of hearing thereon.

Although sweeping out the Baker, Oregon Passenger Station is one of claimant's Janitor chores during his five day work week, it is, nevertheless, a minor part of his total job content.

Rule 41(1) of the Clerks' Agreement does not dictate either that claimant be called on his assigned rest days for the sole purpose of handling this meager amount of work, or does it reasonably contemplate that the delegating of this task to the regularly assigned Baggage-Clerk on duty as an incident of the latter's assignment on the days here involved, is a diminution of claimant's seniority preference.

AWARD: (a) The failure to call and use claimant on March 27 and 28, 1954, was not a violation of the Clerks' Agreement.

(b) Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 173

/s/ Harold M. Gilden
Chairman

/s/ A. J. VanDercreek
Carrier Member

/s/ Stanley B. Eoff
Organization Member

Salt Lake City, Utah
June 20, 1958