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SPECIAL BOARD OF ADJUSTMENT NO. 173

Award No. 7
Case No. 8

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 System Committee of the Brotherhood of Railway
and Steamship Clerks, Freight Handlers, Express and Station
Employees, that

(1) Carrier violated agreement dated November 12, 1935, when they permitted and
required on February 21, 1955, a hostler to transmit an Electrician from Frankfort,
Kansas, to Marysville, Kansas, in Store Department equipment regularly operated by
Auto Truck Tractor Operator O. R. Bigham.

(2) Carrier shall now pay O. R. Bigham on basis of a call for service not allowed
to perform on February 21, 1955."

FINDINGS: The Board, upon the whole record and all the evidence, finds 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.

Patently, the automobile truck resorted to in this instance, was not
the only mode of conveyance available for transporting the two mechanical depart-
ment employees from Frankfort, Kansas, to Marysville, Kansas. Neither does the
Auto Truck Tractor Operator job description specifically mention the transportation
of personnel as one of the duties thereof, nor is there any basis for inferring
that the equipment referred to therein shall not be operated occasionally by other
classes of employees in circumstances when such usage is consistent with their own
assignment.

It has not been demonstrated that the disputed performance was a viola-
tion of the November 12, 1935 Agreement.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 173

/s/ Harold M. Gilden, Chairman

/s/ A. J. VanDercreek, Carrier Member

/s/ C. F. Bignall, Organization Member

Omaha, Nebraska
March 24, 1958