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SPECIAL BOARD OF ADJUSTMENT NO. 173

Award No. 8  
Case No. 9

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 on April 25, 1955,  
they permitted and required an employee outside the Clerical Agreement to deliver  
tools and material at Kansas City, Missouri.

(2) Carrier shall now compensate Donald R. McGuire for an additional hour's pay  
at Lift Truck Operator's rate of pay for service not allowed to perform on April 25,  
1955."

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

The Carrier or Carriers and 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.

The establishing of the Stores Department Lift Truck Operator and Auto  
Truck-Tractor Operator classifications in Agreement dated November 12, 1935, did  
not outlaw the propriety of delegating the operating of lift truck to the Stores  
Department for the delivery of tools and materials under the circumstances pre-  
vailing in this case. (See Award No. 7, Case No. 8, Special Board of Adjustment  
No. 173).

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