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Docket No. CL-7773  
Award No. 3

SPECIAL BOARD OF ADJUSTMENT NO. 177 (PRR)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

Blanche A. Johnson, Messenger, Reservation-Information Bureau, Room 473, 30th Street Station, Philadelphia, Pennsylvania, Philadelphia Terminal Division, be returned to service with all rights unimpaired and be reimbursed for all monetary loss sustained. (Docket E-931)

FINDINGS: Claimant, who was a Group 2 Messenger assigned to the extra list, was called on the afternoon of December 24, 1953 to fill an assignment on the next afternoon. She first said she would not be available, then in response to a second call she said she had made other plans but would try to change them and call back. However, she did not call back nor work her assignment. After trial, at which she did not appear in person but was represented by her designated representative, she was dismissed from service on charge and finding of failure to work her assignment.

Her failure is not denied and no excuse or reason for the failure appears except that she "had made other plans." The provision of the extra list agreement that an employee, if not available reverts to the bottom of the list, is a seniority provision, not a disciplinary rule and in no way prevents or takes the place of disciplinary action when justified.

The rule violated being admitted and without excuse, the discipline in view of her record was not capricious or arbitrary.

AWARD: Claim denied.

/s/ R. H. Skinner, Jr.  
R. H. Skinner, Jr., Carrier Member

S. V. W. Loehr, Employee Member

/s/ Mortimer Stone  
Mortimer Stone - Chairman