

SPECIAL BOARD OF ADJUSTMENT 374

Brotherhood of Railway and Steamship Clerks, Freight Handlers,  
Express and Station Employees

and

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM:

System Docket No. 536 - S. G. O. Auditor Passenger Traffic Case 1-58

"Claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Clerks' Rules Agreement, effective May 1, 1942, except as amended, particularly Rules 2-A-3 and 3-C-1, when it denied Earl C. Wilson the right to exercise his seniority in displacing a junior employe in the Office of Auditor of Passenger Traffic, under the jurisdiction of the Comptroller, located at 32nd Street Building, Philadelphia, Pennsylvania.

(b) Earl C. Wilson be allowed the difference between a Grade 'A' rate and a Grade 'B' rate beginning November 1, 1957, until adjusted. (Docket 536)"

FINDINGS:

We have carefully examined this record and fail to find any proof whatever that in the exercise of its contract right to determine the fitness and ability of Claimant for the positions he sought to bump into, this Carrier acted in an arbitrary or capricious manner.

A denial award is required.

AWARD:

Claim denied.

Signed this 12th day of December, 1961.

s/ Edward A. Lynch  
E. A. Lynch, Chairman

s/ A. E. Myles  
A. E. Myles, Carrier Member

s/ A. B. Seward  
A. B. Seward, Employe Member