

SPECIAL BOARD OF ADJUSTMENT NO. 374

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

and

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM:

System Docket No. 348 - Northwestern Region Case No. 177 - "Claim of the System Committee of the Brotherhood that:

(a) The Carrier violated the Rules Agreement, effective May 1, 1942, except as amended, particularly Rules 3-A-1 and 4-A-1(i), when it used Clerk B. L. Overmyer to fill vacancies on clerical position Symbol B-35-G, located at Yard C, Logansport, Indiana, Northwestern Region, instead of using a senior employe, Clerk Karl L. Culp.

(b) The Claimant, Karl L. Culp, should be allowed eight hours pay a day, as a penalty, for November 13, 1956, and all subsequent dates on which the violation occurred. (Docket 348)"

FINDINGS:

Claimant's regular assignment was from 7:00 a.m., to 3:00 p.m., at a location  $2\frac{1}{2}$  miles from the location of position B-37-G, then being bulletin-ed.

B. L. Overmeyer was the regularly assigned third trick (11:00 p.m. - 7:00 a.m.) yard clerk at Yard "C", Logansport. The job then being bulletin-ed was the same Yard Clerk job on the second trick.

Carrier states Overmeyer "was properly used to perform the work in question, which was at his regularly assigned location and for which he was qualified and available."

We agree.

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