

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 533 - Pittsburgh Region Case No. 590 - "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(a) and (d) when it disqualified Helen R. Hegedus, Clerk, Eleventh Street Freight Station, Pittsburgh, Pennsylvania, Pittsburgh Region, from position Symbol F-324, effective at the end of her tour of duty on June 27, 1957.

(b) Helen Hegedus be allowed a day's pay at the rate of position F-324 for each day beginning June 28 through July 13, 1957, and all subsequent dates until adjusted. (Docket 533)"

FINDINGS:

In the eleven months this Claimant was absent from clerical position F-324, the duty of handling Rule 10 waybills was added to the position.

She returned to the position by bidding the advertised vacancy.

It is Organization's contention that she was directed to process the Rule 10 waybills, which she had not previously handled. After two days on the job, she was disqualified -- being so notified at the start of her third day.

We will sustain the claim for three reasons:

1. There is no statement or proof that she was not a competent comptometer operator when she previously held the position.
2. Any comptometer operator who was away from his machine eleven months would be slow and inaccurate at the start of a return to such job while working with familiar material.
3. We believe Carrier's action was arbitrary and capricious.

AWARD:

Claim sustained to the extent of wage loss.

SBA 374  
Award No. 33

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, Employee Member