

**Award No. 765**  
**Docket No. MC-258-32**  
**2-C&EI-I-'42**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**SECOND DIVISION**

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**PARTIES TO DISPUTE:**

**GUY O. FELSTEAD, EMPLOYE (SHEET METAL WORKER)**  
**vs.**  
**CHICAGO AND EASTERN ILLINOIS RAILWAY COMPANY**

**DISPUTE: CLAIM OF EMPLOYEE:** Claim of Guy O. Felstead, sheet metal worker, Chicago and Eastern Illinois Railway Company, holding point seniority as such at Evansville, Indiana, as covered by Schedule of Rates of Pay and Working Conditions between the Chicago and Eastern Illinois Railway Company, and its employees represented by System Federation No. 20, Railway Employees' Department, Mechanical Section thereof, for compensation for all time lost from work with the Chicago and Eastern Illinois Railway from April 1, 1935 to July 13, 1936, due to an employee junior in service to him being permitted to work a job to which he held seniority rights while he was denied the right to displace such junior employee.

**FACTS AND POSITION OF PARTIES:** The petitioner states he is entitled to certain seniority rights; that account of denial of said seniority rights he asks recovery of wages from April 1, 1935 to July 13, 1936.

The carrier states the case was discussed and a satisfactory settlement reached between the duly authorized representatives of the sheet metal workers and the carrier December 18, 1937. Copy of that settlement is filed in this case.

**OPINION OF THE DIVISION:** This Board has jurisdiction only in case the parties "fail to reach an adjustment." Here the parties did not fail to reach an adjustment; they decided on the proper status of the employee in question. The statute does not say the matter must be settled in a manner satisfactory to the individual.

The proper representatives of the employees conferred with the proper representatives of the carrier. They came to a decision and so far as any further proceeding under the statute is concerned that decision is final. This Board has no further jurisdiction to review it. See Arnold Hildebrand vs. Union Pacific Railroad Company Award No. 643.

**AWARD**

Claim dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Second Division

**ATTEST: J. L. Mindling**  
Secretary

Dated at Chicago, Illinois, this 27th day of April, 1942.