

Award No. 777
Docket No. MC-325-39
2-B&O-I-'42

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

LEWIS SETTLE, EMPLOYE

vs.

THE BALTIMORE AND OHIO RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEE: Petitioner claims that while furloughed in July, 1929, he was unjustly discharged, and that his full seniority rights should be restored, also that he should be compensated for time lost.

FACTS AND POSITION OF PARTIES: The petitioner states he is entitled to certain seniority rights. The carrier answers that his dismissal from the service occurred after proper investigation and that such action was approved by the organization representatives.

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 the claim was without merit. The statute does not say that the dispute must be settled in a manner satisfactory to the employee individually.

The proper representatives of the employes 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 19th day of May, 1942.

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