

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**LOWRIE B. JARRETT, EMPLOYEE
(CARMAN)**

vs.

UNION PACIFIC RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEE: Request of car inspector, Lowrie B. Jarrett, for reinstatement and compensation for all time he has been caused to lose on account of being dismissed on April 29, 1935, for alleged refusal to report for investigation. At the time of dismissal, Mr. Jarrett was employed by Union Pacific Railroad Company as a car inspector at Los Angeles, California. He was injured August 25, 1933, in the course of his employment, and has never worked since. An investigation of this accident was held about three days following his injury. He was not released by the company doctors until April, 1935. Jarrett claims that he was never notified or instructed to appear for any investigation other than the one held immediately following his accident and injury.

FACTS AND POSITION OF PARTIES: The petitioner states he is entitled to be reinstated with pay for time lost. The carrier states and the record so shows that the issue was disposed of with the proper representatives of the employees in accordance with the agreement in effect.

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 employee 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 22nd day of May, 1942.