



Award No. 6318
Docket No. 6054
2-BN(GN)-EW-'72

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Jesse Simons when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 101, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. - C. I. O. (Electricians)**

**BURLINGTON NORTHERN INC.
(Formerly Great Northern Railway Company)**

DISPUTE: CLAIM OF EMPLOYEES:

1. That in violation of the current Agreement, Communications Crew Foreman R. D. Woodward was unjustly dealt with when the Carrier refused to allow him to return to carrier service on June 5, 1969, and arbitrarily dismissed him from the service of the carrier on July 29, 1969.

2. That accordingly, the Carrier be ordered to restore Communication Crew Foreman R. D. Woodward to service with all benefits, rights, privileges and seniority unimpaired and that he be compensated for all time lost subsequent to June 5, 1969.

FINDINGS: The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

In award #6203, claim in the above docketed dispute was held in abeyance pending receipt of certain information believed by the Board essential for a fair and full adjudication of said claim, and in Award #6203, the dispute was remanded back to local representatives of the parties who were directed to meet with Claimant's physician to obtain those essential facts defined in detail in the aforementioned Award.

The Board received in May, a memorandum, signed by local representatives of the parties and dated February 23, 1972 reporting the results of their

joint meeting with Claimant's physician in which the questions raised in Award #6203 were put to the Claimant's physician. This memorandum has received careful study and review by the Board and the Board finds and concludes that there are no probative grounds for sustaining the claim.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 14th day of June 1972.