

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

Award No. 13907
Docket No. 13778
06-2-05-2-2

The Second Division consisted of the regular members and in addition Referee Raymond E. McAlpin when award was rendered.

PARTIES TO DISPUTE: (National Conference of Firemen and Oilers
(TSB Railway Co., Inc.

STATEMENT OF CLAIM:

- “1. That, in violation of the current agreement, Brian Ross, was unjustly dismissed from service of the Carrier without a fair and impartial trial.
2. That, accordingly, the Carrier be ordered to make the aforementioned Mr. Ross, whole by restoring him to Carrier's service, with seniority rights unimpaired, made whole for all vacation rights, holidays, sick leave benefits, and all other benefits that are a condition of employment unimpaired, and compensated for all lost time, also reimbursement for all losses sustained account of coverage under health and welfare and life insurance agreements during the time he has been held out of service.”

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

During Oral arguments, the Board was informed the Parties have reached settlement.

AWARD

Claim dismissed.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

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

Dated at Chicago, Illinois, this 7th day of July 2006.