

Award No. 717
Docket No. MC-871-8
2-RF&P-I-'42

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

L. K. McKELLEGETT

vs.

**THE RICHMOND, FREDERICKSBURG AND POTOMAC
RAILROAD COMPANY**

DISPUTE: CLAIM OF EMPLOYEE: The petitioner requests that his seniority as a machinist helper be changed from the date of October 8, 1935, to date of March 28, 1923, and in addition reimbursement for all time lost because of being furloughed; also expense of handling this dispute.

FACTS AND POSITION OF PARTIES: The petitioner states that he is entitled to certain seniority rights under the agreement, while the carrier shows that he was given seniority rights provided for in the agreement and settled satisfactorily by the parties signatory thereto.

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 employe in question. The statute does not say the matter must be settled in a manner satisfactory to the individual.

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 25th day of March, 1942.