

NATIONAL RAILROAD ADJUSTMENT BOARD
Third Division

PARTIES TO DISPUTE:

**AMERICAN TRAIN DISPATCHERS ASSOCIATION
BALTIMORE & OHIO RAILROAD**

DISPUTE.—"Claim by the Train Dispatchers that the disciplinary entry on the service record of Train Dispatcher M. W. Kirsch was unjustified and that, therefore, such entry should be removed therefrom."

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

The carrier and the employe 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.

The parties to said dispute were given due notice of hearing thereon.

As result of formal investigation at which Dispatcher Kirsch was present with counsel of his choosing, the carrier caused the following entry to be made upon his service record:

"7 3-31 Shops. Train Dispatcher M. W. Kirsch cleared 2/95, engine 4568 without giving proper running order."

The grounds upon which complainant party seeks to have the aforequoted entry removed from the service record of Dispatcher Kirsch are without sufficient merit.

AWARD

Claim made subject of dispute is denied.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,
Secretary.

Dated at Chicago, Illinois, this 8th day of March 1935.