

Award No. 2036
Docket No. DC-2000

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

PARTIES TO DISPUTE:

**JOINT COUNCIL DINING CAR EMPLOYES
CHICAGO, BURLINGTON & QUINCY RAILROAD**

STATEMENT OF CLAIM: Claim of the Joint Council for and in behalf of S. B. Ellison, Waiter in the employ of the Dining Car Department, Chicago, Burlington and Quincy Railroad, that he be granted his rightful seniority as of May 15, 1929, in accordance with the provisions of the current agreement.

OPINION OF BOARD: The record in this case is so indefinite that the Board finds it not possible to render a decision.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

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;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the case will be dismissed.

AWARD

Case dismissed.

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

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 23rd day of October, 1942.

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