

Award No. 2908
Docket No. DC-2916

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

UNITED TRANSPORT SERVICE EMPLOYES OF AMERICA

**CHICAGO, ROCK ISLAND AND PACIFIC
RAILWAY COMPANY**

STATEMENT OF CLAIM: For and in behalf of Waiter James J. White, who for a number of years past, has been employed by the Chicago Rock Island and Pacific Railroad Company. Because the Chicago Rock Island and Pacific Railroad Company did under date of August 28, 1944 discipline him in violation of the terms of our agreement and further even had the company complied with the terms of the contract, and had the merits of the case been considered, the discharge was unjust and in abuse of the company's discretion and based upon charges unproved; and further, for the record of Waiter White to be cleared of the charges made against him and for Waiter White to be returned to service with seniority unimpaired and reimbursed for the pay lost as a result of having been unjustly disciplined.

OPINION OF BOARD: Based on all of the facts and circumstances of this particular case, the Board is not disposed to disturb the action of the Carrier.

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 Employees involved in this dispute are respectively Carrier and Employee 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 action of the Carrier will not be disturbed.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson,
Secretary

Dated at Chicago, Illinois, this 4th Day of May, 1945.