

Award No. 3930
Docket No. DC-4006

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

ORDER OF RAILWAY CONDUCTORS

WESTERN PACIFIC RAILROAD COMPANY

STATEMENT OF CLAIM: Continuous time for Steward Ray A. Matthews for all earnings he would have earned had he remained in the service from date of dismissal until date he is returned to service with seniority rights unimpaired using the steward—his first junior and first senior as a basis of computation.

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

FINDINGS: The Third Division of the Adjustment Board finds:
That the dispute was certified to the Third Division of the Adjustment Board ex parte by Complainant party; and

That the Carrier and Employee 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 under the facts and circumstances as disclosed by the record in this case we find no basis for disturbing the action of the Carrier.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: H. A. Johnson
Secretary

Dated at Chicago, Illinois, this 7th day of June, 1948.