

Award No. 5270
Docket No. DC-5213

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

JOINT COUNCIL DINING CAR EMPLOYEES, LOCAL 351

CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of Joint Council Dining Car Employees for and behalf of Ernest Williams, waiter and counter man, on the property of Chicago and Eastern Illinois Railroad Company that he be returned to service as of July 23, 1948, with seniority rights accumulated and unbroken and that compensation for net wage loss suffered as a result of unjustified and unwarranted dismissal imposed in violation of Article III (a) and (d) of the current agreement.

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, 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 Employees 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: A. I. Tummon
Acting Secretary

Dated at Chicago, Illinois, this 19th day of March, 1951.

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