

Award No. 6729
Docket No. MS-6968

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

WILLIAM A. BUSH

SOUTHERN PACIFIC COMPANY (Pacific Lines)

STATEMENT OF CLAIM: Claim of Third Cook, William A. Bush, Los Angeles Division, for reinstatement with seniority and other rights unimpaired and with payment for all time lost August 25, 1953, and all subsequent dates until returned to service.

OPINION OF BOARD: While there is a conflict between the parties concerning compliance with Rule 25 (a) in asking for a hearing, we make no decision thereon for the reason that, on the merits of the case we find nothing in the record to warrant disturbing the action of the Carrier.

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

That both parties to this dispute waived hearing thereon;

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 the Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon
Secretary

Dated at Chicago, Illinois, this 21st day of July, 1954.