

Award No. 7666
Docket No. MS-8062

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

C. EUGENE SCHMIDT (Clerk)

THE PENNSYLVANIA RAILROAD COMPANY

STATEMENT OF CLAIM: Claims No. C-27, C-33, C-34, C-36, C-37, C-38, C-42, C-46 and C-47, claiming compensation under Regulations 7-A-2 and 6-A-1 (a) for period October 27, 1954 until date of decision of the final appellate jurisdiction entitled to hear this dispute. 7-A-2 of the Agreement entered into by and between The Pennsylvania Railroad Company and Clerical, Other Office, Station and Storehouse Employees of The Pennsylvania Railroad Company dated May 1, 1942, and subsequent amendments states: "When it is considered that an injustice has been done with respect to any matter other than discipline, the employe affected or the 'duly accredited representative' as that term is defined in this agreement, on his behalf, may within ninety days present the case, in writing, to the employe's immediate Supervisor. If the decision of such Supervisor, which shall be in writing, is unsatisfactory, such decision may then be appealed by the employe affected or by the said 'duly accredited representative' as that term is defined in this Agreement, on his behalf, to the Superintendent. In the case of claims for compensation alleged to be due, the time periods specified in Rule 7-B-1 will be observed." Regulation 6-A-1 (a) of the aforementioned Agreement states: "Employees will not be suspended nor dismissed from service without a fair and impartial trial."

OPINION OF BOARD: Based upon the evidence of record in this dispute, the Board finds no violation of the Agreement rules cited and is not disposed to disturb the Carrier action.

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 the Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: A. Ivan Tummon
Executive Secretary

Dated at Chicago, Illinois, this 15th day of February, 1957.