

Award No. 7767  
Docket No. CL-9215

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**THE BALTIMORE AND OHIO RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the System Committee of the Brotherhood that William Moore, Foreman, Pier 22, North River New York, New York, who was dismissed from service on March 16, 1955, on charge of "Felonious assault and battery on Anthony Lore and Stephen Fedeles, B&O R.R. Police Officers, February 10, 1955," be returned to service with all rights unimpaired, with no claim for lost time, due to penalty inflicted being excessive.

**OPINION OF BOARD:** Based upon the evidence of record in this dispute the Board finds that there is no violation of the Agreement rules cited and the action of the Carrier will not be disturbed.

**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 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 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 1st day of March, 1957.