

**Award No. 9260**

**Docket No. MS-11209**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**ROGERS DAWSON**

**THE BALTIMORE AND OHIO RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Your petitioner respectfully requests that I be paid for all time loss, including vacation salary which I never received, and to be reinstated back to my job with full seniority rights to a suitable position pursuant to Rule 53 of Agreements, and for any other and further relief as to the Board may seem just and proper.

**OPINION OF BOARD:** This is a discipline case in which there are conflicts between the parties concerning certain facts. It is not the policy of this Board to undertake to resolve such conflicts. The record contains insufficient evidence to warrant disturbing the action of the Carrier and we find no basis for a sustaining Award.

**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 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 claim will be denied.

**AWARD**

Claim denied.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of **THIRD DIVISION**

**ATTEST: S. H. Schulty**  
Secretary

Dated at Chicago, Illinois, this 26th day of February, 1960.