

Award No. 10881
Docket No. CL-12921

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Robert O. Boyd, Referee

PARTIES TO DISPUTE:

THE BROTHERHOOD OF RAILROAD TRAINMEN

THE MONONGAHELA CONNECTING RAILROAD COMPANY

STATEMENT OF CLAIM: Request of F. E. Wilding Yardmaster's Clerk, that he be reinstated as Yardmaster's Clerk with full seniority rights unimpaired, full vacation rights, and all other privileges, including pay for date of February 14, 1961, and all subsequent dates that claimant is held out of service. Account claimant did not receive a fair and impartial hearing.

OPINION OF BOARD: This is a discipline case in which the Claimant was charged with:

"Instigating and/or abetting an illegal work stoppage among employees on February 14, 1961."

We have carefully reviewed the record in this case and have concluded that the evidence of record discloses no grounds for disturbing 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 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: S. H. Schulty
Secretary

Dated at Chicago, Illinois, this 29th day of October 1962.