

Award No. 11522

Docket No. SG-13511

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Charles W. Webster, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY — COAST LINES**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood Signalmen on the Atchison, Topeka and Santa Fe Railway Company:

In behalf of Signal Maintainer C. A. Harvey for restoration to service with full seniority and vacation rights restored and with payment of wages lost commencing with the date he was removed from service following the accident on March 10, 1961. [Carrier's File: 132-55-2]

OPINION OF BOARD: This is a Discharge Case. The record as developed on the property shows that the Claimant was accorded a fair and impartial hearing.

This Board does not feel that there is any purpose in setting out the facts seriatim but finds that an examination of the record as a whole shows that the Carrier was not arbitrary and capricious in its action.

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

That the parties waived oral hearing;

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: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 14th day of June 1963.