

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20617
Docket Number NW-20778

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employes
(St. Louis-San Francisco Railway Company)

STATEMENT OF CLAM: Claim of the System ~~Committee~~ of the Brotherhood that:

(1) The dismissal of Extra Gang Laborer George F. Porter was without just cause (System File B-1220).

(2) Extra Gang Laborer George F. Porter shall be returned to service with pay for all time lost and with all seniority, vacation, pass and service rights intact.

OPINION OF BOARD: After a study of the record, the Board is convinced ~~that~~ Claimant should be restored to service with all seniority, vacation, pass and ~~service~~ rights intact but without back pay for all time lost.

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 Employes involved in this dispute are respectively Carrier and Employes 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 violated to the extent shown in Opinion.

A W A R D

Claim sustained to the extent indicated in the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 21st day of February 1975.