

**Award No. 4361**  
**Docket No. DC-4412**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

---

**PARTIES TO DISPUTE:**

**DINING CAR & RAILROAD FOOD WORKERS UNION**

**THE PENNSYLVANIA RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the Dining Car & Railroad Food Workers Union, for and in behalf of Mr. Hendricks Mattingly, for compensation for wage loss from March 31, 1948, to be returned to service with seniority rights unimpaired as a result of being denied a fair and impartial trial as is provided by the terms of the current agreement and the Railway Labor Act, as amended.

**OPINION OF BOARD:** 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 evidence of record discloses no grounds for disturbing the action of the Carrier.

**AWARD**

Claim denied.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Third Division

**ATTEST:** A. I. Tummon  
Acting Secretary

Dated at Chicago, Illinois, this 30th day of March, 1949.

[557]